



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Good Shepherd Non-Profit Homes v Matheson, 2026 ONLTB 42233

Date: 2026-05-26

File Number: LTB-L-019173-26-SA-RV2

In the matter of: 507, 15 RAY ST N
HAMILTON ON L8R2X5

Between: Good Shepherd Non-Profit Homes Landlord

And

Darcy Matheson Tenant

Review Order

Good Shepherd Non-Profit Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Darcy Matheson (the 'Tenant') because the Tenant failed to meet a condition specified in the mediated settlement signed by the parties on December 10, 2025 with respect to application LTB-L-070075-25.

This application was resolved by order LTB-L-019173-26 issued on March 20, 2026.

The Tenant filed a motion to set aside order LTB-L-019173-26, and that motion was resolved by order LTB-L-019173-26-SA issued on May 12, 2026.

On May 15, 2026, the Tenant requested a review of order LTB-L-019173-26-SA. This review request was resolved by order LTB-L-019173-26-SA-RV issued on May 20, 2026.

On May 25, 2026, the Tenant filed a further request for review. It is unclear on the face of the request whether the request is intended to be a request to review LTB-L-019173-26, a second review request of LTB-L-019173-26-SA or a request to review LTB-L-019173-26-SA-RV. As such, this request will be addressed on the basis that a review of all of the above noted orders is made by the Tenant's request.

A preliminary review of the review request was completed without a hearing.

Determinations:

Request to Extend Time to File a Review of LTB-L-019173-26

1. If this is a request to review order LTB-L-019173-26, issued on March 20, 2026, it is filed passed the 30-day deadline for the Tenant to do so pursuant to Rule 26.4. That deadline fell on April 19, 2026, which is a Sunday, and so effectively passed on April 20, 2026.

While the Tenant filed a request to extend time to file a review with this request, that request does not provide an explanation for why this request was not filed by the deadline, if in fact the request was meant to review order LTB-L-019173-26. The request only provides reasons as to why the Tenant believes the order issued was inappropriate.

2. LTB Rule 16.4 states that in considering requests to extend or shorten any time requirement under the RTA or the LTB's Rules, a Member is to consider:
 - a. the length of the delay, and the reason for it;
 - b. any prejudice a party may experience;
 - c. whether any potential prejudice may be remedied;
 - d. whether the request is made in good faith; and
 - e. any other relevant factors.
3. As noted, no explanation is provided for filing this request more than one month after the deadline passed to file a request to review order LTB-L-019173-26. I note that since the issuance of this order the Tenant has filed a motion to set aside the order, and then requested a review of the resulting set aside order.
4. The Tenant has already challenged order LTB-L-019173-26 through means of a set aside motion, and then challenged the decision on the set aside motion through the review process. I find this request is therefore in essence a collateral attack on the decision of the Tenant's own motion, and is not brought in good faith.
5. While the Tenant may suffer prejudice as a result of a denial of the request to extend, I find that this prejudice is limited given the merits of the review request do not appear to be strong. In substance, the request appears to be an attempt to re-argue the merits of the set aside motion, which is inappropriate on a request to review.
6. The Landlord will also be prejudiced by the granting of this request, as any party to an order should be entitled to rely upon its finality after the deadline to review it has passed. I note that the Landlord has already been through an alternate process to challenge order LTB-L-019173-26, which has delayed its enforcement, and that this would cause further delay.
7. For the reasons above and in consideration of the factors identified in Rule 16.4, the request to extend time to file a review of order LTB-L-019173-26 is denied.

Request to Review LTB-L-019173-26-SA or LTB-L-019173-26-RV-SA

8. If this request was not intended as a request to review LTB-L-019173-26, it is either the second review request by the Tenant to review order LTB-L-019173-26-SA or a request to review order LTB-L-019173-26-SA-RV, a review order issued pursuant to the Tenant's own review request. In either event, this request is made on substantially similar grounds, that there was a serious error in the order the Tenant seeks to review.

9. Rule 26.18 of the Board's Rules of Procedure provides as follows: The LTB will not consider a further request to review the same order or to review the review order from the same requesting party.
10. Rule A4.2 permits the Board to waive the application of any rule. The Board will only do so in extraordinary circumstances. The request in this instance is in substance a request for a reconsideration of the same request to review and does not warrant waiving Rule 26.18.
11. Accordingly, the Board will not consider the Tenant's review request, whether it was intended as a request to review LTB-L-019173-26, a second request to review LTB-L-019173-26-SA or a request to review LTB-L-019173-26-SA-RV.

It is ordered that:

1. The Tenant's request to review is denied. Order LTB-L-019173-26, issued on March 20, 2026, order LTB-L-019173-26-SA issued on May 12, 2026 and order LTB-L-019173-26-SA-RV issued on May 20, 2026 are confirmed and remain unchanged.

May 26, 2026
Date Issued

Benjamin Seigel
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.