



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

Citation: MERRICK v BEAULIEU, 2026 ONLTB 43312

Date: 2026-05-29

File Number: LTB-L-105872-25-RV

In the matter of: 5, 48 MAIN STREET
KIRKLAND LAKE ON P2N3E4

Between: IVAN MERRICK Landlord

And

MICHELLE BEAULIEU Tenants
JEFFERY PAQUETTE

Review Order

IVAN MERRICK (the 'Landlord') applied for an order to terminate the tenancy and evict MICHELLE BEAULIEU and JEFFERY PAQUETTE (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-105872-25 issued on February 2, 2026.

On May 29, 2026, the Tenant, Michelle Beaulieu, requested a review of the order.

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

Determinations:

Request to extend time

1. The Tenant's request to extend time is granted.

Review request

2. The request for review alleges that the order contains a serious error because the arrears calculated in the order allegedly included rental arrears for two separate rental units, namely the Tenants' previous unit (Unit 1), and the Tenants current unit (Unit 5).
3. For the reasons set out below, the review request is denied.
4. While the Tenant disagrees with the hearing Member's determination with respect to arrears, the order reflects that the Member relied on the uncontested evidence before

them. A disagreement with the Member's findings does not in itself establish a serious error. Accordingly, I am not satisfied that the order contains an error.

5. The Tenant's allegation regarding the incorrect quantum of arrears should have been raised at the hearing. The opportunity to raise all issues and rely on evidence was at the hearing stage not at the review stage of the proceedings. The purpose of the review process is not to provide parties with an opportunity of relitigating the issues in hopes of a better outcome.
6. The Tenant submitted rent ledgers in support of the position that arrears for multiple units were included in the Landlord's application. However, Interpretation Guideline 8 Review of an Order states that parties are expected to make every effort to produce all relevant evidence in support of their positions in the original hearing. The review will be dismissed unless the LTB is satisfied the new evidence could not have been produced at the original hearing, is material to the issues in dispute and could affect the outcome of the proceeding.
7. While I note that the Tenants did not attend the hearing, the request for review was not brought on the basis that the Tenants were not reasonably able to participate in the proceedings. As such, that issue was not considered in my determination.
8. The Tenant has not otherwise adequately explained why the ledgers could not reasonably have been produced at the hearing. A review is not an appeal or an opportunity to change the way a case was presented.
9. On the basis of the submissions made in the request, I am not satisfied that the order contains a serious error or that a serious error occurred in the proceedings. Accordingly, the review is denied.

It is ordered that:

1. The request to review order LTB-L-105872-25 issued on February 2, 2026 is denied. The order is confirmed and remains unchanged.

May 29, 2026
Date Issued

Mayra Sawicki
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.