



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

Citation: Edward v Richardson, 2026 ONLTB 43010

Date: 2026-06-01

File Numbers: LTB-T-068192-22-RV
LTB-T-068224-22-RV

In the matter of: 1502, 180 Bold Street
Hamilton ON L8P4S3

Between: Kathy Edward Tenant

And

Sunder & Company Inc. Landlord
Greenwin Inc.

Review Order

Kathy Edward (the 'Tenant') applied for an order determining that Sunder & Company Inc. and Greenwin Inc. (the 'Landlords') substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household (LTB-T-068224-22); and, failed to meet the Landlord's maintenance obligations under the Residential Tenancies Act, 2006 (the 'Act') or failed to comply with health, safety, housing or maintenance standards (LTB-T-068192-22)

This application was resolved by order LTB-T-068192-22 issued on April 28, 2026.

On May 28, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I listened to the audio recording for this hearing.

Determinations:

1. The order under review consents to the Tenant's request to withdraw her applications.
2. In the review request the Tenant submits that she made the request to withdraw these applications under duress and that she was coerced by the Landlord's representative. She submits that she has a disability. She does not disclose the nature of her disability but submits that the Landlord's representative exploited her vulnerability to pressure her into withdrawing her applications. The Tenant further submits that her decision to withdraw these applications was partly due to the Landlord's representative's

misrepresentation of the law respecting remedies for issues that had been repaired before the hearing date.

3. In this case the Tenant made the request to withdraw the applications after speaking privately with the Landlord's representative in a breakout room. At the hearing the request to withdraw was characterized as a consent and is very similar to a consent. Both a decision to request withdrawal and a decision to agree to terms on consent are voluntary decisions; a party requesting withdrawal and party consenting to terms have the option to require that their application be resolved by the LTB but have chosen not to exercise that option.
4. In the audio recording for the hearing the Tenant did not sound like she was distressed or otherwise under duress.
5. If the Landlord's representative misled the Tenant about her legal rights to a remedy, this is not a reason for a review. The Tenant had the responsibility to inform herself of her legal rights by obtaining legal advice prior to the hearing. The notice of hearing provides information as to how to obtain free legal advice. If the Tenant failed to seek legal advice prior to the hearing, that is not an error of the LTB.
6. Although the review request mentions that the Tenant has a disability the request does not state the nature of the disability or if or how it affected her ability to choose whether to withdraw her applications or require a hearing. In the audio recording I did not hear any indication that the Tenant had any disability that would affect her ability to choose to withdraw her applications. It is not an error of the LTB to accept a party's request to withdraw when there is no reason for the adjudicator to be concerned about the party's capacity to make the request.
7. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-068192-22 issued on April 28, 2026 is denied. The order is confirmed and remains unchanged.

June 1, 2026
Date Issued

Renée Lang
Vice Chair, 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.