



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

Citation: McGuire v Northern Property Partners Ltd, 2026 ONLTB 43969

Date: 2026-06-03

File Number: LTB-T-081744-24-RV

In the matter of: 2, 325 MAIN ST
STURGEON FALLS ON P2B3A6

Between: Samson McGuire Tenants
Nicole Wylie

And

Northern Property Partners Ltd Landlord

Review Order

Samson McGuire and Nicole Wylie (the 'Tenants') applied for an order determining that Northern Property Partners Ltd (the 'Landlord') 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.

This application was resolved by order LTB-T-081744-24 issued on May 19, 2026.

On May 28, 2026, the Landlord's agent, Heather Gibson, requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. The review request is filed on the basis of a serious error and the Landlord not reasonably being able to participate in the March 23, 2026 proceeding.
2. For the reasons that follow, the Landlord's request for review is denied.
3. The review request alleges that concerns were raised with respect to the Landlord's agent legal capacity and that despite those concerns, the matter proceeded to be heard on its merits. The review request does not clearly identify the alleged serious error. However, I infer that the Landlord alleges the application should not have proceeded without confirming whether the Landlord's agent had authority to speak on behalf of the Landlord.

4. While I accept that the order is silent on this issue, the hearing recording confirms that the Landlord's agent, Heather Gibson (HG) was present and advised the Board that, although she was not a legal representative, she had authority to speak on behalf of the Landlord. Accordingly, the matter proceeded on its merits. At no time during the hearing did HG request an adjournment to seek alternative representation. In fact, the hearing recording confirms that HG stated she was prepared to proceed with the hearing. In the circumstances, proceeding with the hearing with HG acting as the Landlord's agent was reasonable and does not constitute a serious error.
5. The review request alleges that the Landlord's agent was not afforded procedural fairness on the basis that she did not have the ability to independently review the documents filed by the Tenant, such as the application, correspondence and evidence relied upon as HG did not have access to the portal despite repeated requests made to the LTB.
6. On review of the hearing recording, while HG raised these concerns at the hearing, she acknowledged that she had received the necessary documents from the Tenant and was prepared to proceed with the merits of the application. The review request also states that HG attended a prior Adjudicative Case Conference and therefore was, or ought to have been, aware of the issues to be raised. At no time during the hearing did HG request an adjournment to adequately prepare for the case. Further, HG actively participated in the hearing and had the opportunity to raise any procedural concerns before the matter proceeded on its merits. The opportunity to raise procedural concerns, including a request to adjourn the hearing, is at the hearing stage and not at the review stage of the proceedings. The purpose of the review process is not to provide parties with an opportunity to relitigate issues in hopes of a better outcome.
7. Lastly, the review request alleges that the order improperly identifies Northern Property Partners as the Landlord. The review request states that Northern Property Partners is the property management company and should not be liable for the remedies granted to the Tenant. However, on review of the hearing recording, HG did not raise this issue during the hearing. As stated in paragraph 3 of this order, HG identified herself as an agent for the Landlord and testified to the issues raised in the application. Further, HG did not raise any concerns respecting the named Landlord on the application during the hearing. As stated in paragraph 6 of this order, the purpose of the review process is not to provide parties with an opportunity to relitigate issues in hopes of obtaining a better outcome.
8. As the Landlord has failed to identify a serious error in the order, the request for review must be denied.

It is ordered that:

1. The request to review order LTB-T-081744-24 issued on May 19, 2026 is denied. The order is confirmed and remains unchanged.

June 3, 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.