



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

Citation: Berhe v Mainstay Housing, 2026 ONLTB 45450

Date: 2026-06-09

File Number: LTB-T-099053-23-RV

In the matter of: 522, 550 KINGSTON RD
TORONTO ON M4E3V6

Between: Yohannes Berhe Tenant

And

Mainstay Housing Landlord

Review Order

Yohannes Berhe (the 'Tenant') applied for an order determining that Mainstay Housing (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.

Yohannes Berhe (the 'Tenant') applied for an order determining that Mainstay Housing (the 'Landlord'):

- entered the rental unit illegally.
- • harassed, obstructed, coerced, threatened, or interfered with the Tenant.
- • withheld or interfered with their vital services or care services and meals in a care home.

On September 27, 2024, the Tenant requested a review of the order. The Tenant did not attend the hearing that took place on August 21, 2024.

On May 8, 2025 interim order LTB-T-099053-23-RV-IN was issued.

On August 20, 2025, LTB-T-099053-23-IN was issued, adjourning a hearing scheduled for August 15, 2025, because the Tenant's Legal Representative was not able to attend.

On October 20, 2025, LTB-T-099053-23-IN2 was issued, adjourning a hearing scheduled for October 17, 2025, because the Tenant's Legal Representative was not able to attend.

On January 14, 2026, LTB-T-099053-23-RV-IN3 was issued, once again adjourning the hearing scheduled for January 13, 2026, because the Tenant's Legal Representative had withdrawn their services in an untimely manner, leaving the Tenant insufficient time to retain and instruct new legal representation.

This application was heard by videoconference on January 13, 2026.

The Landlord's Legal Representative Amanda Montgomery and the Tenant's new Legal Representative Ravinder Malik attended the hearing.

Determinations:

1. Throughout these proceedings, the Tenant had been advised to provide proof that they had paid a prior Board costs order. In order TST-14810-20-IN2-AM issued on March 13, 2020 and amended on November 20, 2020, an administrative fine was issued against the Tenant. The Member in paragraph 5 states:

“During the hearing the Tenant was extremely disruptive. Despite several directions not to interrupt the proceedings and despite warnings that he would be ordered to pay costs if he failed to comply, he continued to interrupt the proceedings. Further, he insulted me, calling me a “stupid idiot”. The Tenant's obstreperous behaviour and lack of respect for the process made it nearly impossible to conduct the hearing. For these reasons, the Tenant will be ordered to pay \$200.00 in Board costs”.

2. The Tenant had repeatedly been directed to provide proof of payment. The January 14, interim order once again directed the Tenant to provide proof on or before January 30, 2026 that the Board ordered costs had been paid.
3. On January 30, 2026, the Tenant provided their submissions in relation to the payment of Board costs, found at DOC-7267196.
4. The Tenant alleges that they had previously paid \$100.00 in cash to the Tribunal. The Board has no proof that a payment of \$100.00 in cash had been paid.
5. The Tenant provided a receipt that they paid the alleged balance of \$100.00 on January 27, 2026.
6. As a result, I am not satisfied that the Tenant has fully paid the Board costs that had been ordered to be paid. The Tenant has been advised on numerous occasions that if the Board ordered costs were not paid that their application may not proceed.
7. Section 196(1)(c) of the Act provides that where an applicant owes money to the Board, the Board may discontinue the application.

196 (1) Upon receiving information that an applicant owes money to the Board as a result of having failed to pay any fine, fee or costs,

(c) if the information is received after a hearing with respect to the application has begun, the Board shall not issue an order until the fine, fee or costs have been paid and may discontinue the application in such circumstances as may be specified in the Rules.

8. Since there is no proof that the Tenant has fully paid the Board costs, the Tenant's application shall be discontinued.

It is ordered that:

1. The Tenant's application is discontinued because there is not sufficient proof that the Tenant has paid the Board ordered costs.
2. As a result, the Tenant's request to review order LTB-T-099053-23 issued on September 3, 2024, has not been considered.
3. The order is confirmed and remains unchanged.
4. The interim order issued on May 8, 2025, is cancelled.

June 9, 2026
Date Issued

Robert Patchett
Vice Chair, Landlord and Tenant Board

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