



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

Citation: 13047547 Canada Inc. o/a Braeside Properties v Davis, 2026 ONLTB 45592

Date: 2026-06-08

File Number: LTB-L-011459-26-RV

In the matter of: 196 Adelaide Street
Almonte ON K0A1A0

Between: 13047547 Canada Inc. o/a Braeside Properties Landlord

And

Amanda (Rulens) Davis Tenants
Kyle Davis

Review Order

13047547 Canada Inc. o/a Braeside Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Amanda (Rulens) Davis and Kyle Davis (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-011459-26 issued on May 22, 2026.

On June 6, 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 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.
2. For the reasons that follow, the review request is denied.
3. The Tenant submits that the Member seriously erred by denying her adjournment request. At the hearing, the Tenant requested an adjournment because she wished the Board to combine the L1 application with a T2 application she had filed. The order and the hearing recording confirm that the Tenant filed the T2 application on the date of the hearing, April 30, 2026. The Tenant acknowledged that the Landlord was not aware of the T2 application prior to the hearing.
4. The decision whether to grant or deny an adjournment is a discretionary one. A discretionary decision will not be interfered with on review unless it is established that the Member exercised their discretion unreasonably. In this case I am not satisfied that the

Member exercised her discretion unreasonably. The Member denied the adjournment request after considering the timing of the request, the reasons provided, whether the Tenant acted with due diligence, and prejudice to the Landlord. The denial of the request was reasonable after considering these factors.

5. The Tenant also submits that she believes that the rent arrears have been calculated incorrectly as they also include utility arrears owing. Paragraph 14 of the order accurately reflects that the utility arrears are being pursued by the Landlord through a separate L2 application. The Tenant did not dispute that the utility arrears were being pursued separately. Additionally, the Tenant did not raise utility charges being included in the calculated arrears. The Tenant had the opportunity at that time to raise any objection to the arrears owing but did not do so. On review of the hearing recording, the Tenant acknowledged the arrears owing on multiple occasions. As such, there is no error in the order.
6. Lastly, the Tenant alleges that she made a payment of \$2,750.00 on May 15, 2026 which is not reflected in the order. The hearing took place on April 30, 2026. As the payment was made after the hearing date, it was not an error for the Member not to consider it in the order.
7. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order. Accordingly, the review request must be denied.

It is ordered that:

1. The request to review order LTB-L-011459-26 issued on May 22, 2026 is denied. The order is confirmed and remains unchanged.

June 8, 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.