



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

Citation: Transfiguration Terrace (St. Catharines) Inc. v Benstead, 2026 ONLTB 46893

Date: 2026-06-12

File Number: LTB-L-032915-26-RV

In the matter of: 205, 324 GLENRIDGE AVE
ST CATHARINES ON L2T3K7

Between: Transfiguration Terrace (St. Catharines) Inc. Landlord

And

Jennifer Benstead Tenant

Review Order

Transfiguration Terrace (St. Catharines) Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Benstead (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-032915-26 issued on May 13, 2026. The parties engaged in settlement discussions during the online negotiation stage of the application. With the assistance of a Dispute Resolution Officer (DRO), the parties arrived at terms of settlement which were agreed to by the parties.

On June 11, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant states that she was not reasonably able to participate at the mediation conference and was coerced into the agreement.
2. In the request, the Tenant said that she was falsely arrested while she was attempting to log into the mediation session and it was the Landlord's agent who facilitated this. She said that due to the arrest she was 40 minutes late to the mediation conference and felt traumatized and under duress. She said she felt pressured to agree to the terms.

3. I find the Tenant's story to be extraordinary and cannot understand how the Tenant was arrested, participate in that process, which caused her to be 40 minutes late. The Tenant did not provide any documentary evidence to support this claim such as charging documents or reports. In my view, it would take considerably longer than 40 minutes for this to unfold.
4. The Tenant had options, had she not attended the settlement conference, the matter would have proceeded to a hearing. The Tenant could have requested to reschedule in light of the circumstances. But the Tenant did not take any of these options. Rather, the Tenant attended, participated and agreed to the terms. I also note this was facilitated by a DRO. Had the DRO believed the consent was not mutual or forced, they likely would not have proceeded. The DRO was satisfied the parties understood and willingly accepted the terms and consequences of the consent.
5. The Divisional Court has stated that "parties ought not to be easily able to revisit Board orders that have been made on consent. The effective resolution of matters that come before the Board will be greatly impaired if parties can continually seek to revisit issues that they have earlier agreed to resolve." (*Trust Construction Corporation v. McKie*, 2017 ONSC 4702)
6. The Divisional Court also stated that "The policy of the courts is to promote settlement. The discretion to refuse to enforce a settlement should be exercised rarely...agreements, and joint submissions, are serious and they should not be easy to simply overturn. To allow parties, after the fact, to raise claims they could have or allow second thoughts after an agreement is struck would cause unnecessary waste on our Tribunals and Courts. No one, even with an order, would feel safe to rely on what has been agreed to. This would not be a just result." (*Gent v. IMH Pool III LP*, 2017 ONSC 7230 CanLII)
7. The review request does not provide a sufficient reason to revisit the consent order.
8. Given the above, I am not satisfied that a serious error occurred in the settlement conference or that the Tenant was not reasonable able to participate.

It is ordered that:

1. The request to review order LTB-L-032915-26 issued on May 13, 2026 is denied. The order is confirmed and remains unchanged.

June 12, 2026
Date Issued

Dana Wren
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.