



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

Citation: WDL 8 LP, c/o Tricon Residential v Boreland, 2026 ONLTB 47591

Date: 2026-06-16

File Number: LTB-L-007548-26-SA-RV

In the matter of: 704, 181 MILL ST
TORONTO ON M5A1C8

Between: WDL 8 LP, c/o Tricon Residential Landlord

And

Roderick Boreland Tenant

Review Order

WDL 8 LP, c/o Tricon Residential (the 'Landlord') applied for an order to terminate the tenancy and evict Roderick Boreland (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant failed to meet a condition specified in the order issued by the Board on December 5, 2025 with respect to application LTB-L-041959-25-RV.

This application was resolved by order LTB-L-007548-26. The Tenant moved to set aside the order. The motion was resolved by order LTB-L-007548-26-SA, issued on May 7, 2026.

On June 15, 2026, the Tenant requested a review of the order.

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

Reasons:

1. The Tenant's request to extend the deadline to file this review is granted.
2. 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.
3. This proceeding arose from a consent order issued in a prior proceeding. One of the terms of the consent order provided that neither the Tenant nor any guest or occupant of the rental unit, including the Tenant's children, was to substantially interfere with other tenants' reasonable enjoyment by "permitting their dog or dogs to run or be unleashed in the common areas of the residential complex."
4. It is undisputed that on January 24 and March 21, 2026, the Tenant's dog was loose in the residential complex. On both occasions, the dog attacked and injured other tenants.

The Tenant says that on both occasions, his children were walking the dog and lost control off it.

5. Because of the January 24 incident, the Landlord and Tenant Board (LTB) ordered the tenancy terminated. The Tenant moved to set the order aside. The Member who heard the motion found, on the undisputed facts, that the January 24 incident constituted a breach of the consent order.
6. The Tenant requests a review, on two grounds. He argues that the Member failed to consider whether the Tenant “permitted” the dog to be unleashed within the meaning of the consent order, and also that the Member failed to consider whether the Tenant “permitted” his children to “permit” the dog to be unleashed.
7. I am not persuaded by either argument. The order provided that the children were not to permit the dog to be unleashed. Hence the only question before the Member was whether the children had permitted the dog to be unleashed. The Member was not required to consider whether the Tenant had been involved in the incident in any way, either by permitting his children to let the dog loose, or by letting the dog loose himself.
8. The Tenant also relies on caselaw interpreting what it means to “permit” a person to do something. I do not find the caselaw to be relevant to what it means to “permit” a dog to do something. A dog is not a person and does not have the legal capacity to make decisions. It is an animal, and its owners are responsible for keeping it under control.
9. The Member did not err by finding that the children’s failure to exercise sufficient control over the dog while walking it constituted “permitting” it to run unleashed within the meaning of the consent order. The Member’s finding was consistent with the plain meaning of the word “permitted” in the context of care and control of an animal.
10. The review will therefore be denied.

It is ordered that:

1. The request to review order LTB-L-007548-26 issued on is denied. The order is confirmed and remains unchanged.

June 16, 2026
Date Issued

Dale Whitmore
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.

