



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

Citation: MPCT DIF DAM Residence at Weston LP v Cabanas-Villa, 2026 ONLTB 39740

Date: 2026-06-18

File Number: LTB-L-076167-25-RV2

In the matter of: 2516, 33 KING ST
YORK ON M9N3R7

Between: MPCT DIF DAM Residence at Weston LP Landlord

And

Sherezade Cabanas-Villa Tenant

Review Order

MPCT DIF DAM Residence at Weston LP (the 'Landlord') applied for an order to terminate the tenancy and evict Sherezade Cabanas-Villa (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-076167-25 issued on December 11, 2025.

The Tenant requested a review of the order.

The review was resolved by order LTB-L-076167-25-RV issued on May 21, 2026.

On May 22, 2026, the Tenant requested a review of the order.

The request to review was heard by videoconference on June 15, 2026.

The Landlord's legal representative, Shelby Wittick, and the Tenant attended the hearing.

Determinations:

1. I am satisfied that the review order contains a serious error. I am also satisfied, given the nature of the error in the review order, that it is appropriate to waive Rule 26.18, if necessary, to permit this request to review to proceed.
2. By way of background, the Landlord's application is concerning rental arrears going back several years that accumulated because of multiple above guideline rent increases.
3. It is uncontested that the N4 notice of termination was based on accrual accounting and that it indicated that the Tenant had not paid any rent since August 2025. It is also uncontested that the Tenant did make monthly payments from August 2025 to date.

4. The Tenant argued at the review hearing that the N4 notice of termination was defective because it did not accurately represent the payments that she made from August 2025 to date and because the notice was unintelligible with respect to describing how the rental arrears arose.
5. I agree with the Tenant's submissions. The N4 did not provide sufficient information for the Tenant to know the case they had to meet. Given how these arrears arose, the N4 notice ought to have had a rent ledger attached to it dating back to the last time the Tenant was at a zero balance. The ledger ought to have shown all the payments the Tenant made since that time and the dates of those payments. The ledger ought to have also shown the monthly rental amounts lawfully charged to the Tenant. Any changes to these amounts also ought to have been explained with reference to the lawful justification for the change (e.g. regular notice of rent increase, order for above guideline rent increase).
6. The Landlord submitted a rent ledger for the hearing however this did not rectify the deficiencies in the N4. I also did not find the rent ledger to be clear with respect to how the arrears arose.
7. I explained at the hearing that I was going to grant the request to review because the review order did not consider the Tenant's submissions with respect to the validity of the N4.
8. I also indicated that I found the N4 to be defective because it was inaccurate with respect to the payments made by the Tenant and did not provide the Tenant with sufficient information to know the case they had to meet.
9. At this juncture, the Landlord requested withdrawal of the Landlord's application and I agreed to this request.

It is ordered that:

1. The request to review order LTB-L-076167-25-RV issued on May 21, 2026 is granted. The order is cancelled.
2. Order LTB-L-076167-25 issued on December 11, 2025 is also cancelled.
3. The Landlord's application is withdrawn.

June 18, 2026
Date Issued

Richard Ferriss
Member, Landlord and Tenant Board

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