



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

Citation: 650 Parliament Residences v Ferreira, 2026 ONLTB 47225

Date: 2026-06-18

File Number: LTB-L-079317-25-RV2

In the matter of: 2027, 650 PARLIAMENT ST
TORONTO ON M4X1R3

Between: 650 Parliament Residences Landlord

And

Walisson Augusto Ferreira Tenant

Review Order

650 Parliament Residences (the 'Landlord') applied for an order to terminate the tenancy and evict Walisson Augusto Ferreira (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-079317-25 issued on December 11, 2025. On December 22, 2025, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 22, 2025, interim order LTB-L-079317-25-RV-IN was issued, staying the order issued on December 11, 2025.

This application was resolved by order LTB-L-079317-25-RV issued on April 30, 2026 pursuant to a hearing held on January 19, 2026 at which the Landlord's Legal Representative, Charlie Bobrowsky, and the Tenant attended.

On June 12, 2026, the Tenant requested a review order LTB-L-079317-25-RV and filed a request to extend time to file the request to review.

On June 15, 2026 interim order LTB-L-079317-25-RV-IN was issued, staying the order issued on April 30, 2026.

LTB-L-079317-25-RV has been subsequently amended by LTB-L-079315-25-RV-AM issued on June 17, 2026 to correct clerical errors contained in LTB-L-079317-25-RV.

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:

Request to Extend

1. The request to extend time is granted, but the request to review is denied.

Review Request

2. While LTB-L-079315-25-RV is a review order, and the request is a request to review made by the same requesting party, the Tenant is not requesting to review the findings in relation to their original review request. Instead, they are requesting a review of the de novo hearing that followed the granting of the Tenant's original request to review. I am satisfied on that basis that this request is appropriate to consider on its merits and is not captured by Rule 26.18. Even if it were, I would find it appropriate to waive the Rule in these circumstances.
3. The Tenant submits that there was a serious error in the order or proceedings and that they were not reasonably able to participate in the hearing. While the request is somewhat disorganized and hard to follow, the submissions are adequately summarized as:
 - a. The Tenant submits the order contains a serious error as the Member should have found a different amount of lawful rent as the Tenant alleges there were illegal rent increases made by the Landlord;
 - b. The Tenant submits there are insufficient reasons contained in the order and this constitutes a serious error;
 - c. The Tenant submits there was a serious error in the proceeding as the Member relied on undisclosed evidence;
 - d. The Tenant submits there was a serious error in the proceeding as the Member denied a request by the Tenant to order the Landlord to produce a full ledger;
4. While the Tenant checked the box on the LTB's form to indicate they were not reasonably able to participate in the proceeding, I find they have not made further submissions that could lead to a preliminary finding that they were actually unable to do so. In any event, I note that I have listened to the recording of the de novo portion of the hearing that is subject of this review, and the Tenant was present and meaningfully participated throughout the hearing process.

Findings on Lawful Rent

5. The Tenant alleges it was a serious error for the Member to determine the lawful rent amount in the order of \$1,607.97 per month, stating this amount is incorrect due to alleged illegal rent increases. Having reviewed the recording, the Tenant is making this submission on the basis of evidence and submissions not raised in the hearing.

6. In the hearing the Tenant stated only that they disputed the arrears amount and did not believe it was correct, but despite being repeatedly asked by the Member as to what the basis for this dispute was or whether they Tenant had any evidence as to why they were disputing it, the Tenant provided no direct answer.
7. The Tenant instead stated only that the amount was wrong and he could not provide reasons or evidence as to why the amount was wrong until the Landlord provided him a ledger. When directed by the Member that the arrears being alleged started only a few months before the hearing in September, 2025, the Tenant would still not respond with any specifics as to what they were disagreeing with in the Landlord's calculations. When the Member asked the Tenant what they thought they owed, the Tenant would only state that he believed he owed nothing as the amount was incorrect, but would provide no other details or reasons for this position.
8. The Tenant at no time during the hearing made a submission that there had been an illegal rent increase. The Tenant did not provide any evidence in the hearing that would support the finding of an illegal rent increase. Absent a serious error, a review is not an opportunity to reargue your case in hopes of a more favourable outcome. Nor is it an opportunity to present evidence and submissions that could and should have been presented at the original hearing.
9. It is not a serious error not to consider submissions and evidence not raised in the hearing. Based on my review of the hearing recording, there were no evidence and submissions that would trigger an obligation for the Member to conduct an analysis of previous rent increases to determine whether there had been any illegal rent increase. I find it was not a serious error for the Member to make the finding that the lawful rent was \$1,607.97 per month.

Sufficiency of Reasons

10. The Tenant submits that the order does not provide adequate reasons for the determinations made in the order. The Tenant made a request for written reasons on May 21, 2026, and this was denied on May 30, 2026 as the order already contained the Member's full reasons.
11. The standard required for the reasons in a decision made by an administrative tribunal was outlined by the Supreme Court of Canada in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65 (CanLII) ("Vavilov") which states at paragraphs 127 and 128 that:

"[127] The principles of justification and transparency require that an administrative decision maker's reasons meaningfully account for the central issues and concerns raised by the parties. The principle that the individual or individuals affected by a decision should have the opportunity to present their case fully and fairly underlies the duty of procedural fairness and is rooted in the right to be heard: Baker, at para. 28. The concept of responsive reasons is inherently bound up with this principle, because reasons are the primary

mechanism by which decision makers demonstrate that they have actually listened to the parties.

[128] Reviewing courts cannot expect administrative decision makers to “respond to every argument or line of possible analysis” (Newfoundland Nurses, at para. 25), or to “make an explicit finding on each constituent element, however subordinate, leading to its final conclusion” (para. 16). To impose such expectations would have a paralyzing effect on the proper functioning of administrative bodies and would needlessly compromise important values such as efficiency and access to justice. However, a decision maker’s failure to meaningfully grapple with key issues or central arguments raised by the parties may call into question whether the decision maker was actually alert and sensitive to the matter before it. In addition to assuring parties that their concerns have been heard, the process of drafting reasons with care and attention can alert the decision maker to inadvertent gaps and other flaws in its reasoning: Baker, at para. 39.” [emphasis added]

12. The order sets out detailed reasons for the determinations made by the Member and establishes a reasonable basis for those determinations. I find that these reasons meet the standards articulated in Vavilov, and no further reasons were required. It is clear from a review of the order and the hearing recording that the Member did grapple with the key issues and central arguments actually presented in the hearing. I find there is no serious error in the order on this basis.

Evidence

13. The Tenant submits there is an error in the proceeding as they state that the Member relied on a notice of rent increase filed by the Landlord on the day of the hearing and not disclosed to the Tenant. Having listened to the recording, this piece of evidence is not raised to the Member, and a review of the order shows this notice of rent increase is not referred to. I am not satisfied that the Member admitted this evidence into the evidentiary record for this matter, nor that they relied on it in making their determinations. As noted, the issue of rent increases was not raised in the hearing. Therefore, this does not constitute an error in the proceedings.
14. The Tenant refers in their request to a request to adjourn the matter so that evidence could be reviewed that the Tenant as the Tenant did not believe they had adequate time to review it. A review of the hearing recording shows that this is in relation to the L1/L9 information update form which was filed 5 days prior to the hearing rather than 7 days prior to the hearing as should have been done in accordance with the Board’s Rules and the interim order issued prior to the proceeding.
15. This is discussed from 2:30:45 to 2:32:00 of the hearing recording. When the Tenant raises their objection on this basis, the Member asks the Tenant what prejudice they have suffered by this delay of two days. The Tenant is not able to identify any prejudice and states they are fine to proceed with the hearing. I note that in any event the Member had discretion to waive the Board’s rules, and that paragraph 6 of interim order LTB-L-

079317-25-RV-IN issued on December 22, 2025 indicates that disclosure “may” not be permitted if not disclosed in accordance with the order. This denotes the discretion of the Member hearing the matter to make determinations in this regard. I find no error in the Member having allowed the L1/L9 information update sheet to be relied upon in these circumstances, and where the Tenant could identify no prejudice in doing so.

Ledger

16. The Tenant submits it was a serious error in the proceeding for the Member not to order the Landlord to produce a ledger in accordance with section 109 of the *Residential Tenancies Act*, 2006 (the “Act”) and section 9 of O. Reg. 516/06 (the “Regulation”) as it impacted the Tenant’s ability to defend the application.
17. Firstly, section 109 of the Act and section 9 of the Regulation do not address the production of ledgers. These provisions specify that a landlord must provide rent receipts on request to note payments made and what is required to constitute a rent receipt. They do not require the production of a ledger.
18. Secondly, I note that the evidence of the Landlord in the hearing was that the Landlord has previously provided the Tenant with a ledger going as far back as 2016, which is as far back as the Landlord’s records extend. While the Tenant seemed to dispute this, they were evasive in their answer as to why they were disputing having received it, primarily citing their interpretation of section 109 of the Act and section 9 of the Regulation. It is unclear from the recording whether they actually dispute having received such a document.
19. Thirdly, the arrears of rent being alleged by the Landlord are not complicated and do not cover an extended period. The N4 notice of termination, L1 application, and L1/L9 information update provided to the Tenant clearly explain these arrears. At the time of the hearing, they constituted 5 months rent and that no payments had been made during that period of time. The amount charged for each month was specified in one or more of these documents.
20. The LTB has an obligation to conduct expeditious proceedings under section 183 of the Act. It is clear from the record there was an adequate basis for the Tenant to know the case to meet, and defend against it. I do not find it was an error in the proceeding for the Member to decline to make an order directing the Landlord to produce a ledger, delaying the proceeding.
21. While the review request is made on the basis noted above, and not in relation to an error in the calculation of the total arrears or notation of the costs expended by the Landlord to file the application, I note that there originally appeared to be errors in this respect in LTB-L-079317-25-RV. These errors of a clerical nature have since been addressed by order LTB-L-079317-25-RV-AM and I am therefore satisfied they do not constitute a serious error in the order or proceeding.

22. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order, that a serious error occurred in the proceedings, or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-079317-25-RV issued on April 30, 2026 is denied. The order, as amended by LTB-L-079317-25-RV-AM issued on June 17, 2026, is confirmed and remains unchanged.
2. Interim order LTB-L-079317-25-RV-IN issued on June 15, 2026 is cancelled. The stay of LTB-L-079317-25-RV issued on April 30, 2026 contained in interim order LTB-L-079317-25-RV-IN issued on June 15, 2026 is lifted immediately.

June 18, 2026
Date Issued

Benjamin Seigel
Member, 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.