



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

Citation: Brown v Shafique, 2026 ONLTB 49349

Date: 2026-06-22

File Number: LTB-T-088647-24-RV

In the matter of: MAIN, 54 ELDERSLIE CRES
KLEINBURG ON L4H4L4

Between:	Clifton Brown	Tenant
And		
	Mohammad Shafique	Landlord

Review Order

Clifton Brown (the 'Tenant') applied for an order determining that Mohammad Shafique (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was resolved by order LTB-T-088647-24 issued on May 21, 2026.

On June 20, 2026, the Tenant's Representative requested a review of the order.

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

Determinations:

1. The review request alleges that the order contains a serious error on the basis that the Member failed to restore the Tenant's exclusive possession of the rental unit after finding that the Landlord has substantially interfered with the Tenant's rights by permitting unauthorized occupants to reside in the basement without the Tenant's consent.
2. For the reasons that follow, the Tenant's request for review is denied.
3. Section 37 of the *Residential Tenancies Act, 2006*, the ("Act"), provides that a tenancy may only be terminated in accordance with the Act.
4. Although the Member found that the Landlord has substantially interfered with the Tenant's rights by permitting individuals to reside in the basement without the Tenant's

consent, the remedy sought by the Tenant on review would require the Board to order the removal of those occupants from the rental unit. Paragraphs 40 and 41 of the order reflect the Member considered the Tenant's request and the reasons for denying such remedy. There is no evidence before me that either the Landlord or the basement occupants applied to terminate those tenancies.

5. Under the Act, a landlord may apply to terminate a tenancy, and a tenant may apply to terminate their own tenancy. However, the Act does not permit a tenant to seek the termination of another person's tenancy. The Tenant's request that the Board restore exclusive possession of the entire rental unit would, in effect, require the Board to terminate the tenancies of the basement occupants, despite no application having been filed to terminate those tenancies.
6. In the order under review. The Member considered the remedies available to the Tenant and awarded monetary compensation and an administrative fine. A disagreement with the order does not constitute a serious error. The review request does not disclose a serious error in the order and instead seeks to reargue the remedy that ought to have been issued.
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-T-088647-24 issued on May 21, 2026 is denied. The order is confirmed and remains unchanged.

June 22, 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.