



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

File Number: LTB-L-008635-26-RV3

In the matter of: 29 MARSH HARBOUR
AURORA ON L4G5Y7

Between: Lesley Bray Landlord
Bryce Kramer

And

Maria Surovova Tenant

Review Order

Lesley Bray and Bryce Kramer (the 'Landlord') applied for an order to terminate the tenancy and evict Maria Surovova (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes (L1 Application); and the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year. (L2 Application).

This application was resolved by order LTB-L-008635-26 issued on April 8, 2026.

On April 8, 2026, the Tenant requested a review of the order. The Tenant's review request was denied in order LTB-L-008635-26-RV issued on April 10, 2026.

On June 11, 2026, the Tenant's daughter Katarina Surovova filed a review request and a request to extend time. The request to extend time to file a review was denied in an endorsement issued on June 11, 2026.

On June 23, 2026, the Tenant's spouse Carlos Manuel Almonte Guzman requested a review of the order.

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

Determinations:

Request to Extend Time to File a Review

1. The request to extend time to file a review is granted. However, the review itself is denied.

Request to Review

2. Mr. Guzman says that he is the spouse of the Tenant and that the Tenant kept the paperwork about the proceedings from him. Mr. Guzman therefore submits that he was not reasonably able to participate in the proceeding and requests a review on that basis. Nothing in the review request supports that Mr. Guzman himself is a tenant. Section 3 O. Reg. 516/06: GENERAL establishes that a spouse of a tenant can become a tenant if the tenant dies or vacates the rental unit without giving notice to terminate the tenancy or agreeing to terminate the tenancy. Nothing in the review request or in the records for this file suggests that the expanded definition of tenant found in the regulation applies to this situation. The Tenant still lives in the rental unit and is actively trying to fight the eviction.
3. The Tenant's spouse does not have standing to bring the review request. Only parties have participatory rights at the Board. While the circumstances of an occupant can be relevant to findings made by the Board, including but not limited to, whether relief from eviction pursuant to section 83 of the *Residential Tenancies Act*, 2006 ('the Act') should be granted, that does not mean that occupants have participation rights independent of a tenant.
4. While Rule 26.1 of the Board's Rules of Procedure establishes that a person who is directly affected by a final order may request a review, that does not mean that occupants have additional participatory rights on review that they do not have at a merits hearing. The rules surrounding who can file a review are purposefully broad so as not to exclude parties that were not named on the original application but should have been. An example provided in the Board's interpretation guideline on reviews for who can file a review is an owner of a residential complex that has two owners but only one was named in the application and participated in the hearing. The other owner likely meets the definition of landlord and therefore has the standing to file the review despite not being named in the original proceedings.
5. In the alternative to my reasons above, the request is also denied because it is an abuse of the Board's processes. Rule 26.18 of the Board's Rules of Procedure establishes that the LTB will not consider a further request to review the same order or to review the review order from the same requesting party.
6. While the Tenant's spouse mentions separation from the Tenant, a statement attached to the review request says that the Tenant and her spouse have now "fully reconciled and are operating as a completely unified household". The Tenant attended the hearing and actively participated. The order reflects that the Tenant was given an opportunity to provide evidence regarding relief from eviction at the hearing. The Tenant should have provided any information relevant to their household at the review hearing. The Tenant's spouse says that the Tenant did not inform him about the proceedings. As such the Tenant created the circumstances that the Tenant's spouse now claims requires a review. A review is not an opportunity to reargue an application that has been finally determined or change how a case was presented.

7. The Tenant already filed a review request that was denied. After that, the Tenant's daughter filed a review request that was denied. Now the Tenant's spouse has filed the review. The Board's review process is not designed for numerous members of a tenant's household to continuously file reviews until one is successful. The Tenant had a hearing, participated, and already filed a review which was denied.

It is ordered that:

1. The request to review order LTB-L-008635-26 issued on April 8, 2026 is denied. The order is confirmed and remains unchanged.

June 24, 2026
Date Issued

Amanda Kovats
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.