



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

Citation: TRIPODI v Hall, 2026 ONLTB 51471

Date: 2026-06-30

File Number: LTB-L-016832-26-RV

In the matter of: 2604, 35 Hayden St
Toronto ON M4Y3C3

Between: Stefano Tripodi
Giovanni Tripodi Landlords

and

Ian Walter Hall Tenant

Review Order

Stefano Tripodi and Giovanni Ripodi (the 'Landlords') applied for an order to terminate the tenancy and evict Ian Walter Hall (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.
- the Landlords in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-016832-26 issued on June 1, 2026.

On June 29, 2026, the Landlord, Stefano Tripodi, requested a review of the order.

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

Determinations:

1. The Landlord alleges that there is a serious error in the order. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
2. The Landlord submits that the presiding Member seriously erred in the application of *issue estoppel*. It is unclear from the submissions what the error alleged is. Nevertheless, the Member did not err in the application of *issue estoppel*. The Board already

considered and made final determinations on the issue of whether the Tenant persistently paid their rent between August 15, 2024 and September 15, 2025. Therefore, it was not an error for the Member to determine that the Landlord is estopped from raising this issue again in a new N8 Notice of Termination.

3. It is clear from paragraph 10 of the order that the Member considered the remaining rental periods which were not estopped and determined that four late payments does not meet the definition of persistently late. The Member's determination is reasonable. I am therefore not satisfied that the presiding Member erred in this regard.
4. The request also alleges that the presiding Member seriously erred by failing to consider rent arrears owed by the Tenant. The Landlord did not file an application for non-payment of rent. The Member only has jurisdiction to hear and consider issues properly before her. As there was no application for non-payment of rent before the Member, it was not an error for the Member not to consider whether the Tenant was in arrears of rent.
5. As I am not satisfied that the order contains a serious error, the request to review the order must be dismissed.

It is ordered that:

1. The request to review order LTB-L-016832-26 issued on June 1, 2026 is denied. The order is confirmed and remains unchanged.

June 30, 2026
Date Issued

Candace Aboussafy
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.