



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

Citation: Ali v Redhead, 2026 ONLTB 3267

Date: 2026-01-07

File Number: LTB-L-050095-25-RV2

In the matter of: MAIN FLOOR, 180 ELMHURST DR
TORONTO ON M9W2L1

Between: Sarfaraz Ali Landlord

And

Christel Redhead Tenant
Joenel Redhead

Review Order

Sarfaraz Ali (the 'Landlord') applied for an order to terminate the tenancy and evict Christel Redhead and Joenel Redhead (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-050095-25 issued on October 8, 2025.

On October 17, 2025, the Tenant requested a review of the order.

The request to review was resolved by order LTB-L-050095-25-RV issued on December 17, 2025.

On January 5, 2026, the Landlord requested a review of order LTB-L-050095-25-RV.

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

Determinations:

1. The Landlord's request to review largely restates the Landlord's position on issues that were raised and addressed at the original hearing and voices their disagreement with the Member's determinations.
2. Interpretation Guideline 8 - Review of an Order states:

A review is not an appeal or an opportunity to change the way a case was presented.

The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the

record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient evidence before the Board to support its conclusions. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality.

TSL-51694-14-IN-RV (Re), 2015 CanLII 23959 (ON LTB) at para 10

3. The Landlord's disagreement with the Member's determinations is not sufficient grounds for review. There is no indication that the Member applied improper principles in assessing the evidence introduced in this case or that there was insufficient evidence before the Board to support the Member's conclusions.
4. The Landlord also requests a review on the basis of new evidence, namely witness statements from the basement tenants.
5. Interpretation Guideline 8 - Review of an Order states with respect to new evidence:

Parties are expected to make every effort to produce all relevant evidence in support of their positions in the original hearing. The review will be dismissed unless the LTB is satisfied the new evidence could not have been produced at the original hearing, is material to the issues in dispute and its consideration could change the result. *First Homes Society v Henry*, [2002] O.J. No. 1754, (Div Ct.); NOL-16865-14-RV(Re), 2014 CanLII 78539 (ON LTB).

6. The witness statements could have been produced at the original hearing. The order states that the Landlord introduced hearsay evidence regarding what he heard from the basement tenants. The Landlord could have summonsed them as witnesses but did not do so. Allowing the Landlord to introduce witness statements from them now would be contrary to Interpretation Guideline 8.
7. As a result, on the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-050095-25 issued on December 17, 2025 is denied. The order is confirmed and remains unchanged.

January 7, 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.