



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

Citation: CSOKE v BENNETTI INC., 2026 ONLTB 4832

Date: 2026-01-13

File Number: LTB-T-098400-25-RV

In the matter of: 15 MILLER DR
ANCASTER ON L9G2H9

Between: ANITA CSOKE Tenant
ZOLTAN JAKAB

And

BENNETTI INC. Landlord

Review Order

ANITA CSOKE and ZOLTAN JAKAB (the 'Tenant') applied for an order determining that BENNETTI INC. (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.
- failed to meet the Landlord's maintenance obligations under the Residential Tenancies Act, 2006 (the 'Act') or failed to comply with health, safety, housing or maintenance standard.

This application was resolved by order LTB-T-098400-25 issued on January 9, 2026.

On January 11, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant alleges that the order contains serious errors.

2. The Tenant's request to review largely restates the Tenant's position on issues that were raised and addressed at the original hearing and voices their disagreement with the Member's determinations.
3. 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

4. The Tenant'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.
5. Although the Tenant disagrees with the determination to dismiss the majority of the application on the basis of res judicata, the Tenant does not adequately describe how the Member might have erred in this regard. More specifically, portions of the application were dismissed because they either were raised or could have been raised in a prior application (LTB-T-080423-25). The Tenant does not identify how this was an error. The issue of noncompliance with order LTB-T-080423-25 is not a new issue as that order provided for an ongoing rent abatement if there was no compliance with the order.
6. Similarly, although the Tenant disagrees with the determination that the Tenant did not provide sufficient evidence to establish that they had to dispose of their possessions because of mould contamination or that they did not provide sufficient evidence that they mitigated their losses by attempting to clean items, the Tenant does not adequately describe how the member might have erred in this regard.
7. Finally, the Tenant's allegation that the "Member substituted personal opinion for expert or documentary evidence, depriving the tenants of an impartial assessment and raising a reasonable apprehension of bias" is unsupported. The Member's comments cited in support of this allegation are not indicative of bias, but rather, an indication to the Tenant that they must support their claim through evidence, which they failed to do.
8. As a result, based on 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 Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-098400-25 issued on January 9, 2026 is denied. The order is confirmed and remains unchanged.

January 13, 2026
Date Issued

Richard Ferriss
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.