



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

Citation: YANG v BRODIE, 2026 ONLTB 5872

Date: 2026-01-15

File Numbers: LTB-L-090897-25-SA-RV
LTB-L-090913-25-SA-RV

In the matter of: 1, 143 EAST AVE N
HAMILTON ON L8L5H8

Between: BEILI YANG Landlord

And

SHANNON BRODIE Tenant

Review Order

BEILI YANG (the 'Landlord') applied for an order to terminate the tenancy and evict SHANNON BRODIE (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified:

- in the order issued by the LTB on June 11, 2025 with respect to application LTB-L-021025-25. This application was resolved, without a hearing, by order LTB-L-090897-25, issued November 3, 2025.
- in the order issued by the LTB on January 24, 2025 with respect to application LTB-L-065710-24. This application was resolved, without a hearing, by order LTB-L-090913-25, issued on November 3, 2025.

The Tenant filed motions to set aside orders LTB-L-090897-25 and LTB-L-090913-25.

The motions were resolved by order LTB-L-090897-25-SA and LTB-L-090913-25-SA issued on December 18, 2025.

On January 14, 2026, the Landlord requested a review of order LTB-L-090897-25-SA and LTB-L-090913-25-SA.

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 crux of the order (i.e. the reason the motion was granted and why the Landlord's request for costs for the Sheriff fee was denied) is that the Landlord failed to mitigate by refusing to provide information/documentation necessary for the Tenant to access third-party funding to pay off the rental arrears. The Landlord does not provide any arguments to suggest the Member erred in this regard and I find the order to be eminently reasonable.
5. 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 Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-090897-25-SA and LTB-L-090913-25-SA issued on December 18, 2025 is denied. The order is confirmed and remains unchanged.

January 15, 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.