



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

Citation: Sun v Lodhi, 2026 ONLTB 1256

Date: 2026-01-23

File Number: LTB-L-066554-25-RV

In the matter of: 5524 HADDON HALL RD
MISSISSAUGA ON L5M5G5

Between: Hong Sun Landlord
Huihua Zhang

And

Noaman Lodhi Tenant
Iffat Noaman

Review Order

Hong Sun and Huihua Zhang (the 'Landlord') applied for an order to terminate the tenancy and evict Noaman Lodhi and Iffat Noaman (the 'Tenant') because:

- the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex.

This application was resolved by order LTB-L-066554-25 issued on January 6, 2026.

On January 20, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this 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 alleges that the Member misinterpreted the Mississauga Zoning By-law, but does not articulate how the Member erred. More significantly, the Landlord did not articulate in the request to review (or at the original hearing) how the activities engaged in by the Tenant constituted an illegal act.
5. The Landlord also alleges that the order failed to address material evidence. I am not satisfied that there is any error in this regard. The material evidence to which the Landlord refers speaks to the issue of whether the Tenant engaged in the activities identified in the notice of termination, however the case did not turn on whether they engage in these activities, but rather, whether the activities constituted an illegal act. The Landlord's application was dismissed because they failed to prove that the activities met the definition of an illegal act. I should also note that the application was also dismissed in the alternative on the basis that it would not be unfair to dismiss the application having regard to all the circumstances. I am not persuaded that there was any significant material evidence which spoke to this second ground for dismissing the landlord's application.
6. The Landlord also alleges procedural unfairness. I have listened to the hearing recording and I am satisfied that the Landlord was given a full and fair opportunity to present evidence and speak to the issues relevant to the application.
7. The Landlord also alleges that the Member improperly exercised discretion under section 83. Interpretation Guideline 8 - Review of an Order states:

Orders granting relief from eviction (RTA s. 83(1)) or awarding specific remedies involve an exercise of the original hearing Member's discretion and are entitled to deference. The LTB will not exercise its discretion to review these types of decisions where the result is within the range of reasonable, acceptable outcomes. TSL-62420-15-RV (Re), 2015 CanLII 67891(ON LTB).
8. I am not persuaded by the Landlord's submissions and given the circumstances of this case that the exercise of discretion is outside the range of reasonable, acceptable outcomes.

9. 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 the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-066554-25 issued on January 6, 2026 is denied. The order is confirmed and remains unchanged.

January 23, 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.