



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

Citation: WANG v HAWKEN, 2026 ONLTB 8471

Date: 2026-01-23

File Numbers: LTB-L-041567-25-RV
LTB-T-085064-24-RV

In the matter of: Basement Unit, 59 MOSS PL
Guelph ON N1G4V2

Between: XUNYAN also known as SALLY WANG Landlord

And

PHILIP HAWKEN Tenant

Review Order

LTB-L-041567-25 ('L2 Application'):

Xunyan (aka Sally) Wang and Hui Wu (the 'Landlords') applied for an order to terminate the tenancy and evict Philip Hawken (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant;
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

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

The Landlords also applied for an order requiring the Tenant to pay the Landlords' reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

The Landlords also applied for an order requiring the Tenant to pay the Landlords' reasonable out-of-pocket costs the Landlords have incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

LTB-T-085064-24 ('T2 Application'):

The Tenant applied for an order determining that the Landlords:

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.

These applications were resolved by order LTB-L-041567-25 issued on January 6, 2026.

On January 22, 2026, the Tenant requested a review of the order.

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

Determinations:

1. 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 Tenant was not reasonably able to participate in the proceeding.
2. The Tenant submits that the Member ignored the fact that the Landlords damaged the electrical panel intentionally after it was uninstalled from the house. It was reasonable to ignore this evidence if it was presented. The Member found that he was not satisfied that the Tenant had damaged the electrical panel. Any evidence about the actual cause of damage to the electrical panel is irrelevant.
3. The Tenant submits that the Member ignored the fact that the basement apartment was built without the required permits. This fact, if it is the case, is not relevant to any of the issues in either of the applications and so it was reasonable for the Member to ignore it.
4. In the review request the Tenant seeks to explain why he has turned off the furnace. The Tenant also submits that the Member ignored evidence regarding Ontario Building Code requirements. That the Tenant has repeatedly turned off the furnace is an issue that was fully litigated at the hearing and is addressed amply and reasonably in the order.
5. The Tenant submits that the Member erred by ordering the Tenant to pay \$3,390.99 minus amounts already paid. The Tenant submits that this is not sufficiently specific as it is "a math equation with unknown variables." The math involved in calculating the amount owed is not complex. The Tenant need only subtract from \$3,390.99 the amount that he has paid to the Landlords for the period of May 30, 2025 to November 28, 2025. This is sufficiently specific and so I am not satisfied that this constitutes an error.
6. The Tenant submits that eviction is not appropriate and it will be difficult for him to move out of the unit in the time frame set out in the order. I interpret this to be a submission that the Member exercised his discretion whether to grant relief from eviction pursuant to s.83 of the *Residential Tenancies Act, 2006* (the 'Act') unreasonably. The Member thoroughly considered all of the relevant circumstances and his decision to briefly delay eviction to January 31, 2026 is reasonable.

7. The Tenant submits that he was blocked from uploading evidence to either file from August 11, 2025 onward. The LTB does not block parties or representatives from uploading documents. The Tenant likely encountered some technical difficulty, for example, hitting the data limit for uploads, but the review request does not provide sufficient information to ascertain why he was not able to upload documents. Given these circumstances I am not satisfied that the Tenant's difficulty uploading documents was due to any error by the LTB.
8. The Tenant submits that the Member erred by not ordering that file LTB-L-036645-25 be heard with files LTB-L-041567-25 and LTB-T-085064-24. The endorsement that sets out this decision explains that file LTB-L-036645-25 is an L2 application based on an N12 notice and as such it concerns different issues than files LTB-L-041567-25 and LTB-T-085064-24. This is a sufficient reason for not ordering all of these files to be heard together.

It is ordered that:

1. The request to review order LTB-L-041567-25 issued on January 6, 2026 is denied. The order is confirmed and remains unchanged.

January 23, 2026
Date Issued

Renée Lang
Vice Chair, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.