



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

Citation: Gunn v Zhu, 2026 ONLTB 8545

Date: 2026-01-23

File Number: LTB-T-065986-25-RV

In the matter of: A, 383 Clinton Street
Toronto ON M6G2Z1

Between:	John Gunn	Tenant
	And	
	Howard Zhu	Landlord

Review Order

John Gunn. (the 'Tenant') applied for an order determining that Howard Zhu (the 'Landlord'):

- entered the rental unit illegally.
- 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.

This application was resolved by order LTB-T-065986-25 issued on January 21, 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. In determining this request, I reviewed the materials in the LTB's file.

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.
2. The review request submits that the Board Member erred in making a determination that the *Residential Tenancies Act, 2006*, the ("Act"), does not apply without considering whether the requester was a subtenant or an assignee of the rental unit.
3. The review request further submits that the Board Member erred in determining that Howard Zhu (HZ) was not a landlord by failing to consider relevant caselaw involving third parties and sub-tenancy relationships.

4. The review request does not state that arguments to consider the requester a sublet or an assignee were made at the hearing. The review request does not state that the requester relied on relevant caselaw that was ignored by the Member. As a result, it cannot be said that the Board Member ignored evidence or submissions made by the requester.
5. The opportunity to raise all issues and rely on caselaw was at the hearing stage not at the review stage of the proceedings. The purpose of the review process is not to provide parties with an opportunity of relitigating the issues in hopes of a better outcome.
6. In any event, based on the evidence referenced in the order, it appears that the lawful landlord, a numbered company, is unaware of the alleged sublet or assignment. The lawful landlord did not consent to a sublet or assignment, so the sublet or assignment was not done in accordance with the Act. This means the Act does not apply and would therefore, not change the outcome of the proceeding.
7. As such, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings. Therefore, the request for review must be dismissed.

It is ordered that:

1. The request to review order LTB-T-065986-25 issued on January 21, 2026 is denied. The order is confirmed and remains unchanged.

January 23, 2026

Date Issued

Mayra Sawicki

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.