



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

Citation: Sagle v Hicks, 2026 ONLTB 10610

Date: 2026-02-02

File Number: LTB-L-097330-25-RV

In the matter of: 11 PRIVATE RD
MARMORA ON K0K2M0

Between: Harvey Norman Sagle Landlord

And

Marie Hicks Tenant

Review Order

Harvey Norman Sagle (the 'Landlord') applied for an order to terminate the tenancy and evict Marie Hicks (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-097330-25 issued on January 30, 2026.

On January 30, 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'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.
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 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.
4. In particular, the Tenant takes issue with the Member's finding of fact that the parties to the original tenancy agreement amended the agreement to remove one of the original tenants from the tenancy. The Member cites the pattern of activities and text communication between the parties to reach this conclusion and I am satisfied that the Member had sufficient evidence to support this conclusion.
5. I should also note that the alleged anomalies in the N4 would not likely have affected the result because of subsection 212(2) of the Act.
6. 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-L-097330-25 issued on January 30, 2026 is denied. The order is confirmed and remains unchanged.

February 2, 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.