



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

Citation: Wu v Chen, 2026 ONLTB 12659

Date: 2026-02-05

File Number: LTB-L-070908-25-RV

In the matter of: 338 STEELES AVE E
THORNHILL ON L3T1A8

Between: Alan Wei Wu Landlord

And

Dapeng Chen Tenants
Li Feng

Review Order

Alan Wei Wu (the 'Landlord') applied for an order to terminate the tenancy and evict Dapeng Chen and Li Feng (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-070908-25 issued on January 8, 2026.

On January 30, 2026, the Tenants 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. On the basis of the review request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.
2. The review request submits that the Board Member erred by failing to consider an illegal security deposit of \$5,200.00.
3. The Board's records do not reflect that the Tenants filed section 82 issues as required by Rule 19.4 of the Board's Rules of Procedure.
4. Rule 19.4 of the Board's Rules of Procedure provides that a tenant who wishes to raise issues under section 82 of the Act at a hearing must serve the Landlord and file with the Board a list of their issues as well as their supporting evidence at least seven days before the hearing.

5. Rule 19.5 provides that a tenant who fails to comply with Rule 19.4 shall not be permitted to raise these issues at the hearing unless the Board is satisfied that they could not comply.
6. As the Tenants did not file section 82 issues as required by Rule 19.4 of the Board's Rules of Procedure, it was not an error for the Member to decline consideration of the security deposit. Although another Board Member may have exercised their discretion differently, the presiding Member's decision is entitled to deference.
7. The Tenants are at liberty to file their own T1 application with the Board.
8. 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.

It is ordered that:

1. The request to review order LTB-L-070908-25 issued on January 8, 2026 is denied. The order is confirmed and remains unchanged.

February 5, 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.