



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

Citation: Davis v Starr, 2026 ONLTB 13156

Date: 2026-02-06

File Number: LTB-T-054782-23-RV

In the matter of: Lower, 290 Second Avenue East
Owen Sound ON N4K2E6

Between:	Shayla C Davis	Tenant
And		
	Natalie Starr	Landlord

Review Order

Shayla C Davis (the 'Tenant') applied for an order determining that Natalie Starr (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.
- withheld or interfered with their vital services or care services and meals in a care home.

This application was resolved by order LTB-T-054782-23 issued on January 12, 2026.

On February 3, 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 as well as portions of the audio recording for this hearing.

Determinations:

1. The Tenant alleges that the Member made an error with respect to the alleged illegal entry on July 4, 2023. I have listened to the hearing recording and the Member asked the Tenant if she let the pest-control person into the unit that day, to which the Tenant replied "yes, I did". As a result, I am not satisfied that there was a serious error with respect to the Member's determinations on this issue.
2. The Tenant also alleges that the order contains a serious error because her request for remedies under section 11 of the application were not considered. I am not persuaded

that there are any errors in this regard for two reasons. Firstly, the Tenant requested that her application be amended such that she only requested remedies under section 6 of the application. Secondly, the Tenant did not specify an amount in their request for remedies under section 11 in the original application. As a result, the Board could not order a remedy under section 11.

3. The remainder of 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.
4. 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

5. 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.
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-T-054782-23 issued on January 12, 2026 is denied. The order is confirmed and remains unchanged.

February 6, 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.