



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

Citation: OLEMED Corporation v Daygot, 2026 ONLTB 2274

Date: 2026-02-13

File Number: LTB-L-095664-25-SA-RV

In the matter of: 2, 773 LAWRENCE AVE W
NORTH YORK ON M6A1C2

Between: OLEMED Corporation Landlord

And

Zendy Daygot Tenant
Joey Bayogos

Review Order

OLEMED Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Zendy Daygot and Joey Bayogos (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on March 14, 2025 with respect to application LTB-L-061489-24.

This application was resolved by order LTB-L-095664-25 issued on December 1, 2025.

The Tenant filed a motion to set aside order LTB-L-095664-25 .

The motion was resolved by order LTB-L-095664-25-SA issued on January 13, 2026.

On February 12, 2026, the Landlord requested a review of order LTB-L-095664-25-SA.

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

Determinations:

1. The Landlord alleges that the order contains a serious error. The Landlord's request to review largely restates the Landlord'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 Landlord'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. With respect to the Board's exercise of discretion, Interpretation Guideline 8 - Review of an Order states:

Orders granting relief from eviction (RTA s. 83(1)) or awarding specific remedies involve an exercise of the original hearing Member's discretion and are entitled to deference. The LTB will not exercise its discretion to review these types of decisions where the result is within the range of reasonable, acceptable outcomes. TSL-62420-15-RV (Re), 2015 CanLII 67891(ON LTB).

5. I am not persuaded by the Landlord's submissions and given the circumstances of this case that the results are outside the range of reasonable, acceptable outcomes.
6. As a result, 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 Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-095664-25 issued on January 13, 2026 is denied. The order is confirmed and remains unchanged.

February 13, 2026
Date Issued

Richard Ferriss
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.