



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

Citation: Toronto Community Housing Corporation v Ashley, 2026 ONLTB 14511

Date: 2026-02-24

File Number: LTB-L-054505-25-RV

In the matter of: 43, 3190 Kingston Rd
Toronto ON M1M1P5

Between: Toronto Community Housing Corporation Landlord

And

Shawnet Ashley Tenant

And

Isiah Ashley-Dempster Unauthorized
Elijah Ashley Occupants
Ty Anthony Ashley

Review Order

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy of Shawnet Ashley (the 'Tenant') and evict Isiah Ashley-Dempster, Elijah Ashley and Ty Anthony Ashley (the 'Unauthorized Occupants') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlord's consent. The Landlord also applied for compensation by the Unauthorized Occupants for the use of the rental unit.

This application was resolved by order LTB-L-054505-25 issued on February 18, 2026.

On February 23, 2026, Elijah Ashley (the 'Occupant') requested a review of the order.

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

Determinations:

1. The Occupant's request to review largely restates the Occupant'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 Occupant'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. I should note for the Occupant's benefit that section 7 of the Act states that section 104 of the Act (i.e. the section which deems an unauthorized occupant a tenant if the Landlord does not apply to the Board within 60 days of becoming aware of the unauthorized occupancy) does not apply to social housing providers.
5. 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 Occupant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-054505-25 issued on February 18, 2026 is denied. The order is confirmed and remains unchanged.

February 24, 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.