



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

Citation: QHN Corporation v Hoenow, 2026 ONLTB 9639

Date: 2026-02-24

File Number: LTB-L-090654-25-RV

In the matter of: 305, 80 CLOUSTON AVE
YORK ON M9N1A7

Between:	QHN Corporation	Landlord
And		
	Ralph Hoenow	Tenant

Review Order

QHN Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Ralph Hoenow (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-090654-25 issued on February 3, 2026.

On February 23, 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 alleges that the order contains a serious error.
2. 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.
3. 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

4. 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. The Tenant's income and expenses as identified at the hearing did not leave sufficient funds to meet the payment plan proposed by the Tenant. As a result, it was not an error to deny the payment plan.
5. The Tenant alleges to have new evidence regarding increased income and regarding an application to the rent bank. New evidence is only a ground for review in situations where the new evidence was material to the issues in the hearing and where it was not available on the date of the hearing with the exercise of due diligence. The Tenant's evidence about increased income and rent bank application could not have been given at the hearing because these had not occurred at that point. The purpose of new evidence as a ground for review is not to capture updates about a party's circumstances or updates about new events that occurred after a hearing. Board decisions are final. To find that a new hearing is required whenever there is an update to a party's circumstances, or a new event occurs, would interfere with the Board's ability to provide final decisions.
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.
7. Given what the Tenant has stated in the request to review regarding the rent bank application and increased income, I draw the Tenant's attention to paragraph two of the order (whereby the Tenant can void the order prior to the eviction date by making payment) and to paragraph three of the order (whereby the Tenant can void the order after the eviction date by making payment and filing a motion to void).

It is ordered that:

1. The request to review order LTB-L-090654-25 issued on February 3, 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.