



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

Citation: LUE SANG v WINEGARDEN, 2026 ONLTB 19106

Date: 2026-03-02

File Number: LTB-L-088313-25-RV

In the matter of: MAIN FLOOR AND BASEMENT UNIT, 371 CRAWFORD
STREET
TORONTO ON M6J2V7

Between: THI HAI ANH HOANG Landlord

And

LISA WINEGARDEN Tenant
MIKE COOPER

Review Order

THI HAI ANH HOANG (the 'Landlord') applied for an order to terminate the tenancy and evict LISA WINEGARDEN and MIKE COOPER (the 'Tenant') because:

- the Landlord entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-088313-25 issued on February 24, 2026.

On February 26, 2026, the Representative requested a review of the order.

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

Determinations:

1. 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. It was not incorrect or unreasonable for the Member to find that a new tenancy was formed when the second named tenant moved into the rental unit. It was also not incorrect or unreasonable to find that the periodic term of the current tenancy was from the 15th to the 14th of each month given the pattern of payment and given that there was no written tenancy agreement with respect to the current tenancy. The lease relating to the tenancy that existed prior to the formation of the current tenancy is irrelevant to the terms of the current tenancy, particularly since the second named Tenant was a stranger to the prior lease.
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 Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-088313-25 issued on February 24, 2026 is denied. The order is confirmed and remains unchanged.

March 2, 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.