



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

Citation: Szczyrba v Abreu, 2026 ONLTB 20823

Date: 2026-03-06

File Number: LTB-T-084187-24-RV

In the matter of: UPPER FLOOR, 3674 BROOMHILL CRES
MISSISSAUGA ON L4Y3N6

Between: Maciej Szczyrba Tenant
Patrycja Brzezinska Szczyrba

And

David Abreu Landlord

Review Order

Maciej Szczyrba and Patrycja Brzezinska Szczyrba (the 'Tenant') applied for an order determining that David Abreu (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.

This application was resolved by order LTB-T-084187-24 issued on February 12, 2026.

On March 5, 2026, the Landlord 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. 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-T-084187-24 issued on February 12, 2026 is denied. The order is confirmed and remains unchanged.

March 6, 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.