



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

**Citation:** Armstrong v Starlight Investments, 2026 ONLTB 24585

**Date:** 2026-03-20

**File Number:** LTB-T-088044-24-RV & LTB-T-084866-24-RV

**In the matter of:** 102, 84 Beaverbrook Lane  
Ottawa ON K2K1L8

|                 |                       |          |
|-----------------|-----------------------|----------|
| <b>Between:</b> | Melanie Armstrong     | Tenant   |
| <b>And</b>      |                       |          |
|                 | Starlight Investments | Landlord |

### **Review Order**

Melanie Armstrong (the 'Tenant') applied for an order determining that Starlight Investments (the 'Landlord') substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their house (T2 application LTB-T-088044-24).

The Tenant also applied for an order determining that the Landlord failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards (T6 application LTB-T-084866-24).

This application was resolved by order LTB-T-088044-24 / LTB-T-084866-24 issued on March 17, 2026.

On March 19, 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'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.
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 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.
4. The Tenant's specific complaint about the Member's statement in paragraph 24 of the order misrepresents the Member's statement. The Member does not state that all repairs were complete, but rather, that there were no further complaints from the Tenant. It would appear from this that there was no further leaking inside the rental unit, even though further roof repairs were still required. I see no error in the order with respect to this statement.
5. The Tenant's complaints with respect to the dismissal of the T2 application are without merit. It is well-established in the case law, supported by the reasoning in *Ball v Metro Capital Management Inc.*, [2002] OJ No 5931 (Div Crt), that the grounds for the application must be set out in the notice/pleadings and cannot be made out in the supplemental evidence submitted for the hearing.
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.

**It is ordered that:**

1. The request to review order LTB-T-084866-24 issued on March 17, 2026 is denied. The order is confirmed and remains unchanged.

**March 20, 2026**  
**Date Issued**

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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.