



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

Citation: Hou v Branco, 2026 ONLTB 32384

Date: 2026-04-20

File Number: LTB-L-069104-25-RV

In the matter of: 5, 9 Amos Dr
Guelph ON N1L0M3

Between: Guangyun Hou
Qingxian Zhang Landlords

And

Emily Branco
Maija Renta
Clarisse Calderon
Aaron Fleishman
Adelaide Bulger Tenants

Review Order

Guangyun Hou and Qingxian Zhang (the 'Landlords') applied for an order to terminate the tenancy and evict Emily Branco, Maija Renta, Clarisse Calderon, Aaron Fleishman and Adelaide Bulger (the 'Tenants') because:

- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another Tenants.
- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has willfully or negligently caused damage to the premises.

The Landlords also claimed compensation for each day the Tenants remained in the unit after the termination date.

Guangyun Hou and Qingxian Zhang (the 'Landlords') applied for an order requiring Emily Branco, Maija Renta, Clarisse Calderon, Aaron Fleishman and Adelaide Bulger (the 'Tenants') to pay the Landlords' reasonable out-of-pocket costs the Landlords have incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex.

This application was resolved by order LTB-L-069104-25 issued on March 24, 2026.

On April 17, 2026, the Landlords requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
2. The Landlords state that the panel serious erred in their determination that the Landlords were responsible for mitigating moisture in the basement. The Landlords state that the panel misapprehended the evidence in that the Landlords did not testify that $\frac{3}{4}$ of the basement is undergrounds, rather, the Landlords testified that more than two-thirds of the basement is above-ground.
3. I have listened to the hearing recording. The recording confirms that at the hearing, the Landlord, Guangyun Hou ('GH'), testified that more than half of the basement is underground. Therefore, the panel's characterization that approximately $\frac{3}{4}$ of the basement is below grade is an accurate representation of the testimony provided by GH, as it is more than half of the basement but less than the entire basement. The panel's determination is therefore reasonable based on the evidence presented at the hearing and I find no error in this regard.
4. The remainder of the review request expenses the Landlords' disagreement with the panel's determinations on the potential cause of the mould.

5. 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

6. The Landlords' disagreement with the determinations is not sufficient grounds for review. The order sets out in sufficient detail why the panel found that a closed air vent may not have caused the mould. It was the Landlords' application and therefore it was the Landlords' obligation to lead evidence to support their claim that the Tenants caused the mould. The Landlords lead insufficient evidence in this regard, and the order sets out in sufficient detail the reasons why the panel could not conclude that it was more likely than

not that the mould in the rental unit was caused by the Tenants. For example, the panel considered that the mould was not isolated to just the room, which was directly impacted by the closed vent, which the Landlords allege was a cause of the mould. The order is therefore an adequate order, and it is evident that the panel considered the totality of the evidence in reaching their conclusions. Put differently, the panel's findings are not capricious.

7. Although the Landlords disagree with the March 24, 2026 Board order, the Board's review process is not an opportunity for a party to re-argue a matter that has been finally determined in the hopes of a different outcome.
8. As a result, based on the submissions made in the request, I am not satisfied that there is a serious error in the order. Therefore, the request to review the order must be dismissed.

It is ordered that:

1. The request to review order LTB-L-069104-25 issued on March 24, 2026 is denied. The order is confirmed and remains unchanged.

April 20, 2026

Date Issued

Candace Aboussafy

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.