



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

Citation: Bradley v Zhang, 2026 ONLTB 32804

Date: 2026-04-22

File Number: LTB-T-098545-24-RV

In the matter of: 1609, 219 Fort York Blvd
Toronto ON M5V1B1

Between: Ivonna Bradley Tenant

and

Yali Zhang
Alfred Wu Landlords

Review Order

Ivonna Bradley (the 'Tenant') applied for an order determining that Yali Zhang and Alfred Wu (the Landlords') gave a notice of termination in bad faith.

This application was resolved by order LTB-T-098545-24 issued on April 1, 2026

On April 21, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a 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 Tenant submits that the presiding Vice Chair seriously erred in finding that the N12 notice of termination was served in good faith because the Landlord's son did not live in the rental unit for one year. While the intended occupant may not have continued to live in the subject unit for a one-year period, this alone is not determinative of bad faith. The Vice Chair correctly considered this as well as the Landlord's evidence as to why the intended occupant moved out in his determination. Therefore, I find no error in this regard.
3. The Tenant also submits that the Vice Chair seriously erred in failing to consider the intended occupant's 6-month occupation together with the reverse onus on the Landlord as the Landlord listed the property for sale. Paragraphs 13 to 18 of the order provide

extensive reasons for why the presiding Vice Chair found that the Landlord rebutted the presumption of bad faith under section 57(5) of the *Residential Tenancies Act, 2006* (the 'Act'). This submission is therefore without merit.

4. The Tenant also submits that the presiding Vice Chair seriously erred by failing to consider or determine whether there was a material change in circumstances for the intended occupant that could not have been contemplated at the time the N12 was served. It is clear from the order that the Vice Chair did turn his mind to this issue and explains his reasoning for determining that the Landlord found the Landlord served the N12 in good faith. In paragraph 25, the Vice Chair details the evidence regarding the intended occupant's circumstances when he moved out of the unit and determines in paragraph 27 that, based on the evidence, the Landlord's genuine intention regarding their son's occupancy of the unit. Therefore, I am not satisfied that the Vice Chair seriously erred as alleged by the Tenant.
5. The remainder of the review request alleges that the Vice Chair seriously erred in his interpretation of the Act.
6. Interpretation Guideline 8 - Review of an Order states that "A review is not an appeal" and states:

The LTB will not exercise its discretion to review an order interpreting the RTA unless the interpretation conflicts with a binding decision of the Courts or is clearly wrong and unreasonable.

7. No binding Court decisions that directly speak to the issue identified in the request to review were brought to my attention and I am not aware of any. I am also not satisfied that the order under review is clearly wrong and unreasonable. The order considers the relevant provisions of the Act and is based on a viable interpretation of those provisions. Additionally, the Vice Chair correctly sets out and applies the test set out in section 57 of the Act.
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.

It is ordered that:

1. The request to review order LTB-T-098545-24 issued on April 1, 2026 is denied. The order is confirmed and remains unchanged.

April 22, 2026
Date Issued

Candace Aboussafy
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.