



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

Citation: Gagnon v 2868554 Ontario Inc., 2026 ONLTB 33126

Date: 2026-04-22

File Number: LTB-T-022980-24-RV

In the matter of: 313, 1616 Ouellette Ave
Windsor ON N8X1L2

Between: Amanda Gagnon Tenant

and

2868554 Ontario Inc. Landlord

Review Order

Amanda Gagnon (the 'Tenant') applied for an order determining that 2868554 Ontario Inc. (the 'Landlord'):

- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
 - substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
 - harassed, obstructed, coerced, threatened or interfered with the Tenant.
 - withheld or interfered with their vital services or care services and meals in a care home.
- (T2 Application)**

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)**

This application was resolved by order LTB-T-022980-24 issued on April 2, 2026.

On April 22, 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 or that a serious error occurred in the proceedings.
2. The request to review alleges various serious errors with respect to the Tenant's Legal Representative's alleged failure to call key witnesses and submit evidence that the Tenant alleges refutes evidence given by the Landlord at the hearing. While concerns relating to the quality of adequacy of legal representation may be an issue for the Law Society of Ontario, it does not constitute a serious error in the order or the proceedings.

3. 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

4. A review is not an opportunity to reargue a case in hopes of a different outcome nor is it an opportunity to present evidence and submissions that could and should have been presented at the original hearing. 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.
5. The review request also alleges that the presiding Member seriously erred by not considering prior adjournments of the Tenant's application in his determinations on the merits of the application. It is unclear from the request how prior adjournments have any relevance to the merits and the request does not provide any reasonable explanation as to how the Tenant alleges that it does. Consequently, I find that this submission is without merit.
6. As I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings, the review request must be denied.

It is ordered that:

1. The request to review order LTB-T-022980-24 issued on April 2, 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
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.