



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

Citation: Harris v Brar, 2026 ONLTB 35393

Date: 2026-04-30

File Number: LTB-T-053798-25-RV

In the matter of: 6395 COUNTY RD 46
MAIDSTONE ON N0R1K0

Between: Sonya Harris Tenant
Edward Harris

And

Maninder Brar Landlord
Nirbhai Bhullar

And

Jodinder Johal Purchaser

Review Order

Sonya Harris and Edward Harris (the 'Tenant') applied for an order determining that Maninder Brar and Nirbhai Bhullar (the 'Landlord') and Jodinder Johal (the 'Purchaser') gave a notice of termination in bad faith.

This application was resolved by order LTB-T-053798-25 issued on January 22, 2026.

On March 3, 2026, the Tenant requested a review of the order.

On March 6, 2026, interim order LTB-T-053798-25-RV-IN was issued, staying the order issued on January 22, 2026

The request to review was heard by videoconference on April 15, 2026.

The Landlord and the Tenant attended the hearing. The Tenant was represented at the hearing by Tom Vanner.

Determinations:

1. The Tenants requested a review of the order issued on January 29, 2026, on the basis that the order contains a serious error.

2. 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.

Rent differential

3. The Tenants submit that the Member erred in denying their claim for rent differential. I do not accept this submission.
4. At the original hearing, the Tenants testified regarding the rent they were paying at the new rental unit. However, when asked by the Member, the Tenants confirmed that they did not have a copy of the lease or any documentary evidence to substantiate the rent being paid.
5. The Member did not ignore the Tenants' oral evidence. Rather, the Member expressly considered it and found that it was insufficient, in the absence of documentary evidence, to support the claim.
6. In this case, the Tenants were specifically asked at the hearing whether such documentation existed and confirmed that it did not. The Member was therefore entitled to conclude that the Tenants had not met their burden of proof.
7. While viva voce evidence may, in some circumstances, be sufficient to prove a claim, the Board is entitled to require more reliable evidence where the claim is precise and quantifiable in nature. It was therefore not unreasonable for the Member to rely on the absence of documentary evidence in determining that the Tenants had not proven this portion of their claim.
8. As set out in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, reasons are sufficient where they permit the parties to understand why the decision was made and there is line of analysis within the given reasons that could reasonably lead the Board from the evidence before it to the conclusion at which it arrived. Reasons are not required to be lengthy or to address every piece of evidence or argument in detail.
9. I find the reasons in the order demonstrate that the Member considered the Tenants' oral evidence, identified the evidentiary deficiency, and explained why the claim was not proven. Accordingly, I find the Member's reasons satisfy the test for adequate reasons.
10. At the review hearing, the Tenants sought to introduce a lease that was not before the Member. The Tenants explained that it was not provided at the original hearing due to oversight or stress. This does not establish a serious error.
11. A request to review is not an opportunity to admit new evidence or to cure deficiencies in the case as originally presented. The Tenants were present at the original hearing, were represented, and had a full opportunity to present their evidence.
12. The application was filed by the Tenants' representative on July 2, 2025, and the hearing was held several months later. The representative had ample time to ensure their best evidence was available for the hearing.
13. Accordingly, I find that the portion of the request to review based on the new evidence cannot succeed, as the evidence existed at the time of the hearing and no reasonable explanation has been provided for its failure to be submitted at the original hearing.

Other expenses

14. The Tenants also submit that the Member erred in denying certain expenses, including costs associated with a generator, fuel, and other living expenses incurred while residing in a trailer.
15. I find the order reflects that the Member considered the evidence presented and allowed those expenses that were supported by sufficient evidence, while disallowing those that were not adequately substantiated.
16. At the review hearing, the Tenants reiterated their hardship and the costs incurred. However, they did not identify any specific error in the Member's reasoning. Rather, they seek to have the evidence reassessed.
17. A request to review is not an opportunity to re-weigh the evidence or to reach a different conclusion. Disagreement with how the Member assessed the evidence does not constitute a serious error. Therefore, this portion of the request to review is dismissed.

General Compensation and Administrative Fine

18. The Tenants further submit that the Member erred by not awarding a higher amount of general compensation and by declining to impose an administrative fine.
19. The assessment of the appropriate quantum of compensation and the decision whether to impose an administrative fine are discretionary determinations based on the evidence before the Member and are entitled to deference.
20. The order demonstrates that the Member considered the Tenants' evidence regarding hardship and awarded general compensation in the amount of \$10,000.00. The Member also considered and denied the request for an administrative fine, finding that the compensation awarded was sufficient to achieve the objectives of deterrence.
21. 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.
22. 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. Therefore, this portion of the request to review is denied.
23. 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. Therefore, the request to review is denied.

It is ordered that:

1. The request to review order LTB-T-053798-25 issued on January 22, 2026 is denied. The order is confirmed and remains unchanged.

2. The interim order issued on March 6, 2026 is cancelled. The stay of order LTB-T-053798-25 is lifted immediately.

April 30, 2026
Date Issued

Bryan Delorenzi
Member, Landlord and Tenant Board

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