



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

Citation: Rowbottom v J.C Cross Properties, 2026 ONLTB 36532

Date: 2026-05-05

File Number: LTB-T-064352-25-RV

In the matter of: 19 BURNS CIRCLE
BARRIE ON L4N5J8

Between: Deborah Rowbottom

Tenant

And

J.C Cross Properties
Jedidiah Liu

Landlord

Review Order

Deborah Rowbottom (the 'Tenant') applied for an order determining that J.C Cross Properties and Jedidiah Liu (the 'Landlord') gave a notice of termination in bad faith.

This application was resolved by order LTB-T-064352-25 issued on April 8, 2026.

On May 4, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Landlord alleges that the order contains serious errors.
2. The Landlord alleges that the order erroneously relied on the Landlord's intended part-time use to determine bad faith. I am not persuaded that this is the case. Paragraphs 9 through 12 of the order delineate multiple reasons sufficient for the finding that the Landlord did not rebut the presumption of bad faith. The determinations regarding part-time use were not pivotal to the finding of bad faith and the result would have been the same had these determinations not been made. As a result, I am not satisfied that this is a serious error.
3. The remainder of the Landlord's request to review largely restates the Landlord's position on issues that were raised and addressed at the original hearing and voices their disagreement with the Member's determinations.
4. 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

5. The Landlord'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.
6. As a result, 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 or that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-064352-25 issued on April 8, 2026 is denied. The order is confirmed and remains unchanged.

May 5, 2026
Date Issued

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.