



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

Citation: Diachkov v Colman, 2026 ONLTB 41722

Date: 2026-05-25

File Number: LTB-T-005371-25-RV

In the matter of: 9, 9 porter drive
Guelph ON N1L1M3

Between:	Danil Diachkov	Tenant
And		
	Christian Colman	Landlord

Review Order

Danil Diachkov (the 'Tenant') applied for an order determining that Christian Colman (the 'Landlord') :

- entered the rental unit illegally.
- 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.

This application was resolved by order LTB-T-005371-25 issued on April 20, 2026 pursuant to a hearing held on March 25, 2026 at which both the Landlord and Tenant attended.

On May 14, 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 submits that the order contains a serious error. Specifically, the Landlord states they were not served with evidence by the Tenant prior to the hearing, and that this violates the LTB's Rules of Procedure. The Landlord also submits that they wish to obtain new evidence, including police reports to have the matter re-heard.
2. Neither the review request nor the order indicate that the Landlord raised any issues related to the service of evidence to the Member at the hearing. Parties are obligated to raise these issues at the outset of the hearing or when they arise in the hearing, so that

they can be adjudicated upon during the hearing. Given the request does not indicate that the Landlord did so, I find no basis to determine that not excluding evidence constitutes a serious error in the order.

3. The Landlord also wishes to obtain further evidence, and to have the matter re-heard once they obtain that evidence. Absent a serious error, a review is not an opportunity to reargue your case in hopes of a more favourable outcome. Nor is it an opportunity to present evidence and submissions that could and should have been presented at the original hearing.
4. The Landlord has not provided sufficient information to support a preliminary finding of an alleged serious error as required by Rule 26.8(e).
5. On the basis of 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-005371-25 issued on April 20, 2026 is denied. The order is confirmed and remains unchanged.

May 25, 2026
Date Issued

Benjamin Seigel
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.