



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

Citation: Ogir v Berman, 2026 ONLTB 41866

Date: 2026-05-26

File Number: LTB-T-058488-25-RV

In the matter of: 1005, 63 Callowhill Dr
Etobicoke ON M9R3L6

Between: Mykola Ogir
Nataliya Ogir Tenants

and

Charles Berman Landlord

Review Order

Mykola Ogir and Nataliya Ogir (the 'Tenants') applied for an order determining that Charles Berman (the 'Landlord'):

- harassed, obstructed, coerced, threatened or interfered with the Tenants.

This application was resolved by order LTB-T-058488-25 issued on April 23, 2026.

On May 22, 2026, the Tenants requested a review of the order.

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

Determinations:

1. The Tenants allege that there is a serious error in the order. 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 Tenants allege that the presiding Member seriously erred in her determination that the application should be dismissed. In summary, the request appears to make submissions on the merits of the issues claimed in the application, which were not heard because the Member determined that they were not properly before the Board.
3. It was not an error for the Member not to hear and consider issues relating to prior Board orders from prior applications filed by the Landlord. The Member correctly explains in

paragraph 3 of the order that a T2 application is not the appropriate avenue to challenge a Board order. If the Tenants disagreed with the order or believed that the order contained a serious error, the Tenants' remedy was to file a request to review or appeal the order. There is no reasonable cause of action with respect to this issue and it may be viewed as an abuse of process to attempt a collateral attack on a Board order through another application with the Board.

4. The Tenants also allege that it was a serious error for the Member to not consider that the Tenants dispute the Landlord's application in LTB-L-062997-25. If the Tenants dispute the issues claimed in the Landlord's application, they may do so at the hearing, not by filing a T2 application.
5. As I am not satisfied that there is a serious error in the order, the request to review the order must be dismissed.

It is ordered that:

1. The request to review order LTB-T-058488-25 issued on April 23, 2026 is denied. The order is confirmed and remains unchanged.

May 26, 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.