



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

Citation: Stuca v Cole, 2026 ONLTB 39071

Date: 2026-06-12

File Number: LTB-L-007602-26-RV

In the matter of: 1, 63 JACKMAN RD
BOWMANVILLE ON L1C2E2

Between: Gulnabi Stuca Landlord

And

Adam J Cole Tenant

Review Order

Gulnabi Stuca (the 'Landlord') applied for an order to terminate the tenancy and evict Adam J Cole (the 'Tenant') because:

- the Landlord requires possession of the rental unit in order to demolish the unit.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-007602-26 issued on May 19, 2026.

On June 9, 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's request to review does not identify a serious error in the order or a serious error in the proceedings. Rather, the request to review restates the Landlord's position on issues that were determined at the original hearing and in the subsequent order.
2. 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

3. 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.
4. Section 73 of the Act states that for an eviction order to issue, the Landlord must have already obtained all the necessary permits or, in the event that permits cannot be issued until the rental unit is vacant, the Landlord has taken all necessary steps to obtain the necessary permits. In this case, the Landlord had not obtained the necessary permits and they did not present any evidence that the permits could not be issue until the unit was vacant. As a result, there is no error in the order.
5. 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-L-007602-26 issued on May 19, 2026 is denied. The order is confirmed and remains unchanged.

June 12, 2026
Date Issued

Richard Ferriss
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.