



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

Citation: Siu v Ng, 2026 ONLTB 48212

Date: 2026-06-19

File Number: LTB-L-064083-24-RV
LTB-T-020442-24-RV

In the matter of: 755 CORNELL ROUGE BLVD
MARKHAM ON L6B0K2

Between: Ada Siu Landlord

And

Man Wa Ng Tenants
Schubert Au-Yeung
Michael Au-Yeung

Review Order

Ada Siu (the 'Landlord') applied for an order to terminate the tenancy and evict Man Wa Ng, Schubert Au-Yeung and Michael Au-Yeung (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe (LTB-L-064083-24).

The Tenants applied for an order determining that Gordon Lee and Ada Wai Ching Siu (AS) (the 'Landlords'):

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenants. (LTB-T-020442-24)

These applications were resolved by order LTB-L-064083-24 & LTB-T-020442-24 issued on April 27, 2026.

On May 25, 2026, the Landlord requested a review of the order.

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

Determinations:

1. The review request is filed on the allegation of a serious error.
2. For the reason that follow, the Landlord's request for review is denied.

3. The Landlord submits that, pursuant to Bill 61, the Board was required to issue an order within 15 days of the hearing. The Landlord has not identified any authority supporting this assertion. While the Ontario Artificial Intelligence, Talent and Innovation Strategy Act, 2025 exists (Bill 61), it is not relevant to the Board's issuance of orders. In any event, even if there had been a delay in issuing the order, the Landlord has not explained how the delay resulted in any prejudice or affected the outcome of the proceeding. As such, this allegation does not disclose a serious error in the order.
4. The Landlord submits that the Member erred by accepting and relying upon allegations that were not contained in the original T2 application and were not properly amended. The Landlord argues that the allegations, including the April 16, 2024, incident referenced in the order, were not pleaded, disclosed, or otherwise properly before the Board, resulting in a denial of procedural fairness.
5. I am not satisfied that this allegation establishes a serious error. Paragraphs 3 to 6 of the order reflect that the Member considered the Tenant's request to amend the application, addressed the Landlord's objection, and granted the amendments after considering potential prejudice. The allegation concerning the April 16, 2024 email formed part of the amended application (see evidence ID 4241691) and was addressed through the evidence at the hearing. The Landlord had notice of the allegation and paragraphs 49 to 52 of the order reflect that the Landlord had an opportunity to respond to the allegation. It appears that the Landlord's submissions amount to a disagreement with the Member's findings regarding amendments and the evidence before the Board. A request for review is not an opportunity to reargue issues that were considered and determined at the hearing.
6. The Landlord submits that the Member misunderstood legislation relating to illegal drug activity and failed to properly consider that the Landlord believed she had an obligation to investigate potential drug activity at the rental unit. The Landlord argues that this misunderstanding affected the Member's assessment of her conduct.
7. I am not satisfied that this allegation establishes a serious error. The order does not reflect that the Member found the Landlord acted improperly merely because she contacted police. Rather, paragraphs 23 and 24 reflect that the Member considered the Landlord's evidence regarding her reasons for reporting suspected drug activity and concluded that the allegation was unfounded. The Landlord's submissions in the review request amount to a disagreement with the Member's assessment of the evidence and the conclusions drawn from that evidence. A request for review is not an opportunity to introduce new explanations or reargue findings that were considered and determined at the hearing.
8. The Landlord submits that the Member erred by removing Michael Lee as a tenant from the application. I am not satisfied that this allegation establishes a serious error. Paragraph 1 of the order reflects that the Member considered Michael Lee's status and determined that he should be removed as a tenant. In reaching that determination, the Member noted that the Landlord had not taken the position that Mr. Lee was a tenant and had, in fact, previously sought to have him declared an unauthorized occupant. The

Landlord's submission amount to a disagreement with the Member's determination regarding Mr. Lee's status and an attempt to advance a position inconsistent with that taken during the proceedings.

9. The Landlord submits that the rent abatement awarded to the Tenant was disproportionate because the Member failed to adequately consider the Tenant's own misconduct, including rent arrears, unpaid utilities, refusal of showings, abandonment of the rental unit, and other alleged breaches of the tenancy agreement.
10. I am not satisfied that this allegation establishes a serious error. The allegations of Tenant misconduct are unrelated to the Tenant's T2 application. The Landlord has not identified any error in the Member's findings regarding the Tenant's rights application or the remedies awarded. Paragraphs 7 to 14 of the order address the Tenant's rental arrears, and the order reflects that the Landlord was awarded \$9,011.76 in arrears of rent. In addition, Board order LTB-L-063073-24, issued May 11, 2026, addresses the Landlord's allegations concerning abandonment of the rental unit and utility arrears. The Landlord's submissions amount to a disagreement with the weight assigned to the evidence and the remedies awarded. This does not establish a serious error.
11. Lastly, the Landlord submits that the \$5,000.00 administrative fine was improper because she never changed the locks, never removed the Tenant from the rental unit, and was only seeking guidance regarding the applicability of the *Residential Tenancies Act, 2006*, the ("Act").
12. I am not satisfied that this allegation establishes a serious error. Paragraphs 62 to 64 of the order reflect that the Member considered the purpose of an administrative fine, the factor's set out in Guideline 16, and the Landlord's overall conduct before determining that an administrative fine was appropriate. The fine was not imposed solely because the Landlord threatened to change the locks. Rather, the Member found that the Landlord had demonstrated a blatant disregard for the Act, repeatedly threatened the Tenant's security of tenure, sought to circumvent the Act and caused significant stress to the Tenant.
13. The presiding Member's findings are entitled to considerable deference. I am not satisfied that the Member's use of discretion is clearly wrong and unreasonable. The presiding Member determined that it was reasonable to impose an administrative fine as a result of the Landlord's conduct and provided sufficient reasons for her findings.
14. 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. As a result, the review must be denied.

It is ordered that:

1. The request to review order LTB-L-064083-24 and LTB-T-020442-24 issued on April 27, 2026 is denied. The orders are confirmed and remain unchanged.

June 19, 2026
Date Issued

Mayra Sawicki
Member, Landlord and Tenants 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.