



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

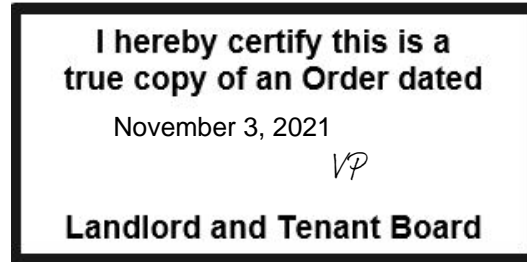
**File Number:** TEL-16482-21-RV

**In the matter of:** 5 COVERDALE AVENUE  
COBOURG ON K9A4H2

**Between:** Gerd Beitinger

**and**

Steven Mclaughlin



Landlord

Tenant

**Review Order**

Gerd Beitinger (the 'Landlord') applied for an order to terminate the tenancy and evict Steven Mclaughlin (the 'Tenant') because the Landlord has entered into an agreement of purchase and sale of the rental unit and the purchaser requires possession of the rental unit for the purpose of residential occupation.

This application was resolved by order TEL-16482-21 issued on August 11, 2021.

On October 22, 2021, the Tenant requested a review of the order.

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

**Determinations:**

1. The Tenant's request for a review is based on the ground of serious error.
2. The Tenant submits that the Landlord does not intend in good faith for his son to occupy the rental unit. The Tenant does not submit that the information that forms this belief was not known at the time of the hearing or that this information would not have been available with the exercise of due diligence. Essentially the Tenant seeks to re-litigate this matter. A review is not an opportunity to re-litigate a matter.
3. The Tenant complains of the conduct of the Landlord after the hearing. The Board is not responsible for the parties' or their representatives' conduct and so this is not a serious error of the Board.
4. The order under review is an order on consent. The Tenant was represented at the hearing that gave rise to the order. The Divisional Court has stated that "parties ought not

to be easily able to revisit Board orders that have been made on consent. The effective resolution of matters that come before the Board will be greatly impaired if parties can continually seek to revisit issues that they have earlier agreed to resolve.” [*Trust Construction Corporation v. McKie*, 2017 ONSC 4702]

5. For the reasons above the review request is denied in accordance with Rule 26.9(c) of the Board’s Rules of Practice because the grounds for considering a review are not satisfied.

**It is ordered that:**

1. The request to review order TEL-16482-21 issued on August 11, 2021 is denied. The order is confirmed and remains unchanged.



**November 3, 2021**  
**Date Issued**

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Renée Lang  
Member, Landlord and Tenant Board

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

This order contains all reasons for the determinations and order made. No further reasons will be issued.

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.