




Order under Section 16.1 of the
Statutory Powers Procedure Act
and the **Residential Tenancies Act, 2006**

File Number: LTB-T-004465-24-IN

In the matter of: 162 Indian Road
Hastings, ON K0L 1Y0

I hereby certify this is a
true copy of an Order dated
Jan 24, 2024

Landlord and Tenant Board

Between: John Johnston Tenant

And

Ron O'Neil Landlord

INTERIM ORDER

John Johnson (the 'Tenant') applied for an order determining that Ron O'Neil (the 'Landlord') the Landlord is refusing access for them to remove their belongings after the Sheriff provided vacant possession.

It is determined that:

1. The Tenant alleges the Landlord did not provide 72 hours to remove property from the rental unit after the sheriff evicted them.
2. An order shall issue to preserve the tenant's belongings pending a determination of the issues.
3. The Tenant also requested a shortened time to a hearing, which is granted.
4. Tenant wishing to get free legal advice from Legal Aid Ontario PRIOR to the hearing, can access Tenant Duty Counsel by calling 1-877-374-0391. Please note: Tenant Duty Counsel must be contacted in advance as there is no guarantee that they will attend each specific hearing. Tenant Duty Counsel has also created an online registration system to request legal assistance which can be accessed at www.tdc.acto.ca. Tenant Duty Counsel is a service offered through Legal Aid Ontario and is not affiliated with the Board.


It is ordered that:

1. The Board shall schedule this application for a video hearing on an expedited basis.

2. The Landlord shall preserve and keep safe any property belonging to the Tenant that is in the Landlord's control. Nothing in this order prevents the Landlord from giving to the Tenant any of their possessions at the request of the Tenant.
3. The initial and primary focus of the expedited hearing shall be on the T2 application allegation that the Landlord refused access by the Tenant to retrieve their possessions.
4. The remaining issues raised in the application may be addressed at the hearing at the discretion of the Presiding Member if adequate disclosure has been provided and time permits.
5. The parties will have until not later than 2 days prior to the hearing to give to the other and file with the Board a copy of any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing. All submissions must be uploaded on the Tribunals Ontario Portal (TOP) online. It may also be submitted via email at LTB.Evidence@ontario.ca where the TOP precludes uploading large documents.
6. The parties may also consent in writing to exchange of documents using the online TOP portal.
7. Pursuant to Rule 19.7 a party who fails to comply with an order for disclosure may not be permitted to rely on evidence that is not properly disclosed.
8. The Tenant shall notify the Board and the Landlord in writing forthwith if the hearing is no longer necessary and the Tenant wish to withdraw or abandon the application. This can be done through TOP, or by emailing the Board at: LTB@ontario.ca.

January 24, 2024
Date Issued

Head Office
777 Bay Street, 12th Floor
Toronto Ontario M5G2E5



Ender Joseph
Landlord and Tenant Board

Landlords and Tenant with questions can continue to call the LTB toll-free at 1-888-332-3234 or by using TTY for the hearing impaired at 1-800-855-0511. They may also email the LTB: LTB@ontario.ca.