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

Citation: Dupont/Lansdowne Holdings Inc. v Glonczi and Lasjone, 2023 ONLTB 36318

Date: 2023-05-02

File Number: LTB-L-042070-22-RV-IN

In the matter of: 108, 1401 DUPONT ST

TORONTO ON M6H2B1

Between: Dupont/Lansdowne Holdings Inc.

And

Gabor Jozef Glonczi Lajosne Lasjone I hereby certify this is a true copy of an Order dated

MAY 2 2023

Tenants

Landlord

Landlord and Tenant Board

INTERIM ORDER

On May 2, 2023, the Tenants requested that order LTB-L-042070-22, issued on March 10, 2023, be reviewed and that the order be stayed until the request to review the order is resolved.

Determinations:

- 1. The Tenants submit they were not reasonably able to participate in the February 27, 2023 hearing. The Tenants explain that they did not receive the Board's notice of hearing. The Board mailed the notice of hearing to the Tenants on February 13, 2023.
- 2. The March 10, 2023 order was enforced on April 14, 2023. An order that has been enforced is not subject to a stay.
- 3. The Landlord shall be ordered not to re-rent the rental unit until this request to review the order is resolved. The Landlord shall also keep and safeguard the Tenants' personal property and shall afford the Tenants reasonable access to their property.
- 4. The matter is directed to a review hearing to determine whether the request to review should be granted or denied.
- 5. Should the review be granted, a new hearing may be held on the same day to determine the merits of the original application about non-payment of rent.
- 6. A failure to attend the review hearing may be viewed as an abuse of process and may result in costs being ordered against the Tenants.

It is ordered that:

File Number: LTB-L-042070-22-RV-IN

1. The LTB shall schedule a hearing of the Tenants' request to review the March 10, 2023 order.

- 2. The Landlord shall not re-rent the rental unit until this request to review the order is resolved.
- 3. The Landlord shall keep and safeguard the Tenants' personal property until this request to review the order is resolved. The Landlord shall afford the Tenants reasonable access to their property.
- 4. The parties are directed to attend the hearing and be prepared to proceed on the merits of the original application should the review request be granted.
- 5. The parties are directed to give to each other and to the LTB any evidence that relates to the review request and the original application no later than **seven** days before the hearing. This includes any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing.
- 6. Disclosure may be made **BY E-MAIL**. The LTB's e-mail address is **ltb.evidence@ontario.ca**.
- 7. If e-mail communication is unavailable or inadequate for the exchange of evidence the parties shall comply with all Health Canada guidelines with respect to social distancing and isolation available at https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/guidance-documents.html.
- 8. 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.

May 2, 2023 Date Issued

Harry Cho

Vice Chair, Landlord and Tenant Board

15 Grosvenor Street, 1st 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.