




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

File Number: LTB-T-023203-22-IN

In the matter of: 150, 325 BOGERT AVENUE
NORTH YORK ONTARIO M2N1L8

Between: ANNA ARZOUMANIAN
MELANIE ARZOUMANIAN

I hereby certify this is a true copy of an Order dated
January 23, 2024

Landlord and Tenant Board

Tenants

And

HEATH RESIDENCES

Landlord

INTERIM ORDER

ANNA ARZOUMANIAN and MELANIE ARZOUMANIAN (the 'Tenants') applied for an order determining that HEATH RESIDENCES (the 'Landlord'):

- entered the rental unit illegally.
- Substantially interfered with their reasonable enjoyment of the rental unit or the residential complex

ANNA ARZOUMANIAN and MELANIE ARZOUMANIAN (the 'Tenants') applied for an order determining that HEATH RESIDENCES (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on January 17, 2024.

The Landlord's Legal Representative Charlie Bobrowsky and the Tenants attended the hearing. The Tenant spoke with Duty Counsel prior to the hearing.

Determinations:

1. At the hearing, Landlord requested an adjournment because the Landlord did not receive the Notice of Hearing and because the Tenants neglected to serve the Landlord with their disclosure as required.
2. There was also some confusion about whether the Tenants had properly amended their T2 application into a T2/T6 application pursuant to the Board's direction and whether they served and filed the amended application. Instead of amending the T2 application to a T2/T6 application, the Tenants completed a separate T6 application and filed it in the LTB Portal. It was unclear from the Certificate of Service whether the T6 application was properly served on the Landlord.

3. After considering the parties' submissions, I found it reasonable to grant the adjournment.

It is ordered that:

1. The hearing is adjourned to a date to be scheduled by the LTB on an expedited basis.
2. The parties shall provide their unavailable dates to the LTB **by January 27, 2024**.
3. The LTB will send the parties a Notice of Hearing for the next hearing date.
4. **On or before January 27, 2024**, the Tenants shall provide the Landlord or the Landlord's Legal Representative, by **EMAIL**, a copy of the T6 application plus all documents, pictures and other evidence they have submitted to the LTB and which they intend to rely on at the hearing.
5. **At least 5 days** before the next hearing, the parties shall exchange by **EMAIL**, and upload to the Tribunals Ontario Portal, a copy of all documents, pictures and other evidence not already disclosed and filed that they intend to rely on at the hearing.
6. If parties want to make the disclosure to the other in paragraph 5 through the Tribunals Ontario Portal, they must sign and file the LTB's form called "Consent to Disclosure through Tribunals Ontario Portal" found on the LTB's website.
7. If a party does not comply with the deadlines for disclosure, the Member may refuse to accept the evidence or consider the issues not disclosed.
8. I am not seized.

January 23, 2024
Date Issued



Elle Venhola
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.