




**Order under Section 77(8)  
Residential Tenancies Act, 2006**

**File Number:** LTB-L-052497-23-SA

**In the matter of:** 868 ELLIOTT ST E  
WINDSOR ON N9A3S7

**Between:** Binish Shah, Biraju Doshi, Chintan Patel Landlords  
and Dhaval Petrolwala

**And**  
  
Jennifer Newell

I hereby certify this is a  
true copy of an Order dated  
**Sept. 21, 2023**  
  
Landlord and Tenant Board

Tenant

Binish Shah, Biraju Doshi, Chintan Patel and Dhaval Petrolwala (the 'Landlords') applied for an order to terminate the tenancy and evict Jennifer Newell (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on June 29, 2023, with respect to application LTB-L-011367-23.

The Landlords' application was resolved by order LTB-L-052497-23, issued on July 20, 2023. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-052497-23 and for a stay of the order.

The motion was heard by videoconference on September 13, 2023.

Only the Landlords' Legal Representative Richard Lammers attended the hearing.

As of 1:55 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.


**Determinations:**

1. Since the Tenant did not appear at the hearing to support their motion, I find that this motion has been abandoned.

**It is ordered that:**

1. The motion to set aside Order LTB-L-052497-23, issued on July 20, 2023, is denied.
2. The stay of Order LTB-L-052497-23 is lifted immediately.

**September 21, 2023**  
**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.