



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

**File Number:** CEL-98984-21-RV-IN

**In the matter of:** 60 WANNAMAKER CRESCENT  
CAMBRIDGE ON N3E0C5

**Concerning:** Wilma D'souza Landlords  
Alwyn D'souza

**and**

Fred Perry Tenants  
Jaimey Robertson

**INTERIM ORDER**

On May 28, 2021 Fred Perry and Jaimey Robertson (the 'Tenants') requested that order CEL-98984-21-SA issued on May 10, 2021, be reviewed and that enforcement be stayed until their request to review the order is resolved.

**Determinations:**

1. In order to preserve the Tenant's rights until the review is resolved, the underlying eviction order should be stayed. An order cannot be enforced while it is stayed.
2. The matter is directed to a review hearing to determine the following questions:

Did the Board err in giving weight to the Tenants' failure to pay the water bill, without making a finding that the Tenants were responsible for paying the water bill?

Did the Board err in giving weight to the Tenants' failure to pay the water bill, given that the reasons for the application were unrelated to the water bill?

Did the Board err in relying on hearsay evidence contradicting the Tenant's testimony that she had been offered a new job?

3. If the review is granted, a new hearing will be held on the merits of the original motion.

**It is ordered that:**

1. Orders CEL-98984-21, issued on March 19, 2021, and CEL-98984-21-SA, issued on May 10, 2021, are stayed until otherwise ordered.
2. The Board shall schedule a hearing of the review request. The parties shall be prepared to proceed with a hearing *de novo* on the same date in the event that the review is granted.
3. The parties shall exchange disclosure in respect of both the review and the possible *de novo* hearing in accordance with Rule 19.

**May 31, 2021**  
**Date Issued**

  
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Dale Whitmore  
Member, Landlord and Tenant Board

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