



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

File Number: TET-06857-19-RV-RV

In the matter of: 95 CANNIFTON ROAD
BELLEVILLE ON K8N4V2

Between: Robert Rowe Tenants
David Ford

and

Michael Fortis Landlord

Review Order

Robert Rowe and David Ford (the 'Tenants') applied for an order determining that Michael Fortis (the 'Landlord') or the Landlord's superintendent entered the rental unit illegally and altered the locking system on a door giving entry to the rental unit or residential complex without giving them replacement keys sold, retained or otherwise disposed of the Tenants' property before 72 hours had elapsed after the Tenants were evicted and the Landlord did not make the Tenants' property available to be retrieved at a location close to the rental unit during the hours of 8 a.m. and 8 p.m. within 72 hours after the Tenants were evicted.

This application was resolved by order TET-06857-19 issued on March 2, 2020.

On July 8, 2020, the Tenants requested a review of the order alleging that they were not reasonably able to participate in the proceedings.

The request was heard by videoconference on December 10, 2020.

Only the Landlords representative, Susan Priest, attended the hearing.

On December 11, 2020, the Board issued order TET-06857-19-RV dismissing the request to review.

On February 19, 2021, the Tenants requested a review of the review order issued on December 11, 2020 alleging that they were not reasonably able to participate in the proceedings.

The request was heard by videoconference on April 19, 2021.

The Landlord, the Landlord's legal representative, Susan Priest, the Tenants, and the Tenant's legal representative, Patricia Moelker, attended the hearing.

Determinations:

1. Rule 26.18 prohibits the Board from considering the Tenants' request to review the review order. The Tenants' request to review the review order is denied on this basis.
2. In addition, I find that the Tenants were reasonably able to participate in the review hearing on December 10, 2020. The Board emailed the Tenants' representative the notice of hearing on November 20, 2020. The Board also mailed three separate copies of the notice of hearing addressed to the Tenants and the Tenants' representative at the Tenants' representative's address on November 23, 2020. No mail was returned to the Board.

It is ordered that:

1. The request to review order TET-06857-19-RV issued on December 11, 2020 is denied. The order is confirmed and remains unchanged.



June 2, 2021
Date Issued

Richard Ferriss
Member, Landlord and Tenant Board

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