



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

Citation: Sarin v Laamanen, 2023 ONLTB 82262

Date: 2023-12-20

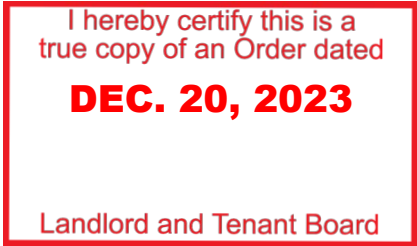
File Number: LTB-L-008656-23-RV

In the matter of: UPPER UNIT, 1269 PAQUETTE ST
SUDBURY ON P3A3X9

Between: Sumant Sarin

And

Trevor Lawrence Laamanen



Landlord

Tenant

Review Order

Sumant Sarin (the 'Landlord') applied for an order to terminate the tenancy and evict Trevor Lawrence Laamanen (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-008656-23 issued on November 29, 2023.

On December 8, 2023, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Tenant alleges that the order contains serious errors and that they were not reasonably able to participate in the proceedings.
2. I have reviewed the file and listened to the hearing recording.
3. The Tenant disagrees with the eviction enforcement date set out in the order.
4. Interpretation Guideline 8 - Review of an Order states:

A review is not an appeal or an opportunity to change the way a case was presented.

The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient evidence before the Board to support its conclusions. I would not interfere with the assessment of the

evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality.

[TSL-51694-14-IN-RV \(Re\)](#), 2015 CanLII 23959 (ON LTB) at para 10

5. The Tenant's disagreement with the enforcement date is not sufficient grounds for review. There is no indication that the Member applied improper principles in assessing the evidence introduced in this case or that there was insufficient evidence before the Board to support the Member's conclusions. As a result, I find no error in this regard.
6. The Tenant also states that the hearing was not conducted properly. The Tenant states that he was not given an opportunity to present his position however, having listened to the hearing recording, I do not find this to be the case and I find no error in this regard. Similarly, I find no air of bias in the manner that the Member and the Landlord's paralegal conducted themselves.
7. As a result, based on the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceeding or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-008656-23 issued on November 29, 2023 is denied. The order is confirmed and remains unchanged.

December 20, 2023
Date Issued



Richard Ferriss
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.