



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

Citation: Khanna Holdings Inc. v Nicholls, 2024 ONLTB 14161

Date: 2024-03-07

File Number: LTB-L-065475-23-RV

In the matter of: 203, 66 KING ST W
Oshawa ON L1H1A6

Between: Khanna Holdings Inc.

And

Noel Nicholls

I hereby certify this is a
true copy of an Order dated

MAR. 7, 2024

Landlord and Tenant Board

Landlord

Tenant

Review Order

Khanna Holdings Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Noel Nicholls (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-065475-23 issued on February 28, 2024.

On March 5, 2024, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file and listened to the hearing recording.

Determinations:

1. The Tenant alleges that the order contains a serious error. More specifically, the Tenant states that the hearing ought to have been adjourned so that he could obtain further evidence.
2. I am not satisfied that this constitutes a serious error for 2 reasons. Firstly, parties are expected to come prepared for their hearing before the Board and a failure to come prepared is not grounds for review. Secondly, the Tenant did not request an adjournment at the hearing. It is not appropriate to not request an adjournment at the hearing and then request a review on the basis that an adjournment ought to have been granted. The proper time to request an adjournment is at the hearing.
3. As a result, on the basis of 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.
4. The Tenant submitted evidence with their request to review that they are making efforts to pay off the arrears. **I would remind the Tenant that they may void the order prior**

to March 10, 2024 as noted in paragraph 2 of the order, but they may also void the order prior to enforcement as per paragraph 3 of the order.

It is ordered that:

1. The request to review order LTB-L-065475-23 issued on February 28, 2024 is denied. The order is confirmed and remains unchanged.

March 7, 2024
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.