



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

**Citation:** Pan v Zhu, 2023 ONLTB 44849

**Date:** 2023-06-12

**File Number:** LTB-L-036692-22-RV-IN

**In the matter of:** Second Floor, 105 Bellwoods Ave Toronto  
ON M6J3N4

**Between:** Guo lang Pan Landlords  
Ming dao Pan

**And**

Shenqi Zhu Tenants  
Weihong Jin  
Yulin Zhu  
Yuqi Zhu

**INTERIM ORDER**

On June 7, 2023 the Landlords requested that order LTB-L-036692-22 issued on May 16, 2023 be reviewed.

**Determinations:**

1. The May 16, 2023 dismissed the Landlord's application as the presiding Member found that the Landlord's child did not intend to reside in the rental unit for "residential use" and that the Landlord's child only intended to reside in the rental unit two days per month.
2. The matter is directed to a review hearing to determine whether there was a serious error in the order or the proceedings. Subject to the presiding Member's discretion, the issues to be determined are:
  - a) Did the Member misinterpret the Landlord's child's testimony in determining that the Landlord's child only intended to reside in the rental unit on a temporary basis (two days per month).

3. Should the review be granted, a new hearing may be held on the merits of the original application.

Order Page 1 out of 2

**File Number:** LTB-L-036692-22

2023 ONL TB 44849 (CanLII)

**It is ordered that:**

1. Order LTB-L-036692-22 issued on May16, 2023 is stayed until otherwise ordered.
2. The LTB shall schedule a hearing of the Landlord's request to review. Should the review be granted, the application shall be immediately directed to a new hearing. The parties are directed to come prepared to proceed on the merits of the application.
3. As soon as possible and no later than **seven days** prior to the hearing, the Tenants and the Landlord shall give to the other and file with the Board a copy of any document, photograph, receipt, recording or like thing upon which they intend to rely at the hearing. Filing with the Board may be done by e-mail to [LTB.evidence@ontario.ca](mailto:LTB.evidence@ontario.ca).
4. If you are the Tenant and wish to obtain some legal advice **PRIOR** to your hearing, you can access Tenant Duty Counsel by calling 1-877-374-0391. Please note: Tenant Duty Counsel must be contacted in advance as there is no guarantee that they will attend each specific hearing. Tenant Duty Counsel is a service offered through Legal Aid Ontario and is not affiliated with the Board.
5. Pursuant to Rule 19.7 of the Board's Rules, a party who does not comply with an order for disclosure may not be permitted to rely on any evidence not properly disclosed.

**June 12, 2023**  
**Date Issued**

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Fabio Quattrociocchi  
Member, Landlord and Tenant Board

15 Grosvenor Street, 1st 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.