



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

**Citation:** 2071417 Ontario Inc. v. Peter, 2023 ONLTB 44279

**Date:** 2023-06-09

**File Number:** LTB-L-013677-23-RV

**In the matter of:** I, 6530 Glen Erin Drive  
Mississauga ON L5N3S3

**Between:** 2071417 Ontario Inc. Landlord

**And**

Mark Peter Tenant  
Natasha Ashley Holt

### Review Order

2071417 Ontario Inc. (the 'Landlord') applied for an order requiring Mark Peter and Natasha Ashley Holt (the 'Tenant') to pay the rent that the Tenant owes.

This application was resolved by order LTB-L-013677-23, issued on May 5, 2023.

On June 5, 2023 (the first business day following the last day of the 30-day limitation period), the Landlord requested a review of the order.

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

#### Determinations:

1. I have listened to the April 12, 2023 hearing recording and I have reviewed the Board's application record. 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 proceedings.
2. The hearing recording confirms that the Landlord's agent (full-time property manager) exercised the right to be heard on the issues to be determined in the Landlord's application. The evidence the Landlord's agent introduced at the hearing, including the L9 Application Information Update form the Landlord's agent submitted as an exhibit, is consistent with the Board Member's findings of unpaid rent in the May 5, 2023 order.
3. Although the Landlord's agent filed with the review request an affidavit explaining that the evidence they gave at the hearing was incorrect, I find that it is not appropriate in the circumstances to hold a review hearing. The Board's review process is not intended to give a party an opportunity to re-argue an application that has been finally determined. Here, since the Landlord's agent did fully participate in the April 12, 2023 Board hearing, potentially underreporting the Tenant's rent arrears does not represent a serious, reviewable error.



4. I also find that the information in the Landlord's review request does not represent new evidence that was not reasonably available at the April 12, 2023 hearing. The information the Landlord wishes to introduce in its review request was available on the hearing date. Put differently, the Landlord's agent's error does not mean that the evidence was not reasonably available.
5. The Landlord has therefore not established that a serious, reviewable error may exist in the May 5, 2023 order, or that a serious, reviewable error may have occurred in the proceedings. The request to review the order must accordingly be denied.

**It is ordered that:**

1. The request to review order LTB-L-013677-23 issued on, May 5, 2023, is denied. The order is confirmed and remains unchanged.

**June 9, 2023**

**Date Issued**

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

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Harry Cho

Vice Chair, Landlord and Tenant Board

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