



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

Citation: Jugpreet Grewal v Pamela Davis, 2023 ONLTB 42634

Date: 2023-06-09 **File Number:**
LTB-L-047310-22-RV

In the matter of: Unit#2 & #3, 188 WELLINGTON ST N HAMILTON
ON L8L5A5

Between: Harnoor Grewal Landlord
Jugpreet Grewal

And

Craig Mullis Tenants Pamela Davis

Review Order

Harnoor Grewal and Jugpreet Grewal (the 'Landlord') applied for an order to terminate the tenancy and evict Craig Mullis and Pamela Davis (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-047310-22 issued on April 29, 2023.

On May 10, 2023, the Tenant, Pamela Davis, requested a review of the order and that the order be stayed until the request to review the order is resolved.

On May 11, 2023, interim order LTB-L-047310-22-RV-IN was issued, staying the order issued on April 29, 2023.

This application was heard in by videoconference on June 1, 2023.

The Landlord's Representative, Frank Mercurio and the Tenant, Pamela Davis attended the hearing.

Determinations:

1. On the basis of the submissions made in the request and at the hearing, we are not satisfied that there is a serious error in the order, that a serious error occurred in the proceedings, or that the Tenants were not reasonably able to participate in the proceeding.

2. The Tenant, Pamela Davis, testified that she had to care for her two children and could not attend the hearing held on March 15, 2023. She confirmed that she received the Notice of Hearing that was sent to her by the Board. The Order LTB-L-047310-22 issued on April



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29, 2023, identified Greg Mullins, the other Tenant as having attended the hearing on March 15, 2023, which was not disputed by the Tenant, Pamela Davis.

3. We find the Tenant, Pamela Davis, having elected not to attend the hearing does not amount to a serious error in the procedure or participation. The Tenant, Pamela Davis, having received the Notice had an adequate opportunity to participate at the hearing of first instance. It is noted that she does not dispute the arrears calculated in Order issued April 29, 2023.
4. A review is not an opportunity to re-argue and make submissions that ought to have been made at first instance. The Tenants' request to review Order LTB-L-047310-22 issued on April 29, 2023, is denied.

It is ordered that:

1. The request to review order LTB-L-047310-22 issued on April 29, 2023, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on May 11, 2023, is cancelled. The stay of order LTB-L-04731022 is lifted immediately.

Sandra Macchione

Member, Landlord and Tenants Board

June 9, 2023

Date Issued

Lisa Del Vecchio

Member, Landlord and Tenants Board

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