



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

Citation: M. F. Arnsby Property Management Ltd. v Hanterman, 2023 ONLTB 41807

Date: 2023-05-29

File Number: LTB-L-056149-22-RV-IN

In the matter of: 3, 2010 WAVELL ST
LONDON ON N5V4P8

Between: M. F. Arnsby Property Management Ltd. Landlord

And

Caitlynn Hanterman Tenant

INTERIM ORDER

On May 26, 2023, the Landlord requested that order LTB-L-056149-22 issued on May12, 2023 be reviewed.

Determinations:

1. This matter is directed to a review hearing to determine whether there was a serious error in the order or the proceeding and whether the Landlord was reasonably able to participate in the proceedings.
2. In the request to review, the Landlord claims they were not reasonably able to participate in the proceedings as they did not receive the notice of hearing.
3. The matter is directed to a review hearing to determine whether the request to review should be granted or denied.
4. Should the review be granted, a new hearing will be held on the merits of the original application.
5. A failure to attend the review hearing may be viewed as an abuse of process and may result in costs being ordered against the Landlord.

It is ordered that:

1. The LTB shall schedule a hearing of the Landlord's request to review.
2. The parties are directed to attend the hearing and be prepared to proceed on the merits of the original application should the review request be granted.

Order Page 1 of 2

File Number: LTB-L-056149-22-RV-IN

3. The parties are directed to give to each other and to the LTB any evidence that relates to the review request and the original application no later than **seven** days before the hearing. This includes any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing. If possible, the parties shall exchange information by email. Filing with the Board may be done by e-mail to 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 a party who fails to comply with an order for disclosure may not be permitted to rely on evidence that is not properly disclosed.

May 29, 2023**Date Issued**

Dana Wren

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.

