



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

Citation: Akwiwu v. Watts, 2023 ONLTB 41009

Date: 2023-05-25 **File Number:**
LTB-L-026736-23-RV

In the matter of: 19-1 ROBINSON AVE
SMITHS FALLS ON K7A1K3

Between: Kelechi Akwiwu Landlord

And

Bailee Watts Tenant

Review Order

Kelechi Akwiwu (the 'Landlord') applied for an order to terminate the tenancy and evict Bailee Watts (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on March 30, 2023 with respect to application LTB-L-010995-23.

This application was resolved by ex parte order LTB-L-026736-23, issued on May 5, 2023.

On May 24, 2023, the Tenant requested a review of the May 5, 2023 ex parte order.

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

Determinations:

1. 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. Pursuant to section 78 of the *Residential Tenancies Act, 2006* (the 'Act'), the March 30, 2023 order allowed the Landlord to file an application with the Board, without notice to the Tenant, if the Tenant failed to meet a condition specified in the order. The Tenant was therefore not entitled to notice of the Landlord's application LTB-L-026736-23.
3. The Tenant submits that they are not able to vacate the rental unit by the date specified in the May 5, 2023 ex parte order. The Tenant also states that the residential complex "has a serious problem with cockroaches".

4. While I am mindful of the Tenant's submissions, I find that they do not represent good cause to review the May 5, 2023 ex parte order. The submissions do not reflect a serious error in the order or in the proceedings. The Tenant retains the right to file their own applications with the Board.

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5. I note that the May 5, 2023 ex parte order informs the Tenant that they may file a motion with the Board to set aside the order. The order identifies the May 15, 2023 deadline to file the motion. The Board's Rules of Procedure permit a party to request an extension of time.

It is ordered that:

1. The request to review ex parte Board order LTB-L-026736-23, issued on May 5, 2023, is denied. The order is confirmed and remains unchanged.

May 25, 2023
Date Issued

Harry Cho

Vice Chair, 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.

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