



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

**Citation:** Starlight Canadian Residential Growth Fund v Woolner, 2023 ONLTB 41005

**Date:** 2023-05-25

**File Number:** LTB-L-058568-22-RV-IN

**In the matter of:** 0502, 540 PROUDFOOT LANE  
LONDON ON N6H1W4

**Between:** Starlight Canadian Residential Growth Fund Landlord

**And**

Hailynn Mote-quenneville Tenant  
Travis Woolner

**INTERIM ORDER**

On May 24, 2023 the second named Tenant requested that order LTB-L-058568-22 issued on May 8, 2023 be reviewed and that the order be stayed until the Tenant's request to review the order is resolved.

**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 Tenant was reasonably able to participate in the proceedings.
2. In order to preserve the rights of the Tenant until the review is resolved, the order should be stayed. An order cannot be enforced while it is stayed.
3. In the request to review, the requesting Tenant claims they were not reasonably able to participate in the proceedings as they had been advised by the Landlord that the matter would be closed.
4. The matter is directed to a review hearing to determine whether the request to review should be granted or denied.
5. Should the review be granted, a new hearing will be held on the merits of the original application.

6. A failure to attend the review hearing may be viewed as an abuse of process and may result in costs being ordered against the Tenant.

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2023 ONLTB 41005 (CanLII)

**It is ordered that:**

1. Order LTB-L-058568-22 issued on May 8, 2023 is stayed until otherwise ordered.
2. The LTB shall schedule a hearing of the Tenant's request to review.
3. 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.
4. 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](mailto:LTB.evidence@ontario.ca).
5. 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.
6. 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 25, 2023**  
**Date Issued**

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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.

