



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

Citation: Zafar v Turano, 2023 ONLTB 41003

Date: 2023-05-25 **File Number:** LTB-
L-027440-23-RV-IN

In the matter of: 3021, 9 MABELLE AVE
ETOBICOKE ON M9A0E1

Between: Adeel Zafar Landlord

And

Vincenzo Turano Tenant

INTERIM ORDER

On May 24, 2023, the Tenant requested that ex parte Board order LTB-L-027440-23, issued on May 12, 2023, be reviewed and that the order be stayed until the request to review the order is resolved.

Determinations:

1. The Tenant submits a serious error exists in the May 12, 2023 ex parte Board order. The Tenant denies agreeing to terminate the tenancy.
2. In order to preserve the rights of the Tenant until the review is resolved, the May 12, 2023 order should be stayed. An order cannot be enforced while it is stayed.
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 may be held on the same day to determine the merits of the original application to determine whether the Tenant entered into an agreement to terminate the tenancy.
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 Tenant.

It is ordered that:

1. Order LTB-L-027440-23, issued on May 12, 2023, is stayed until otherwise ordered.
2. The LTB shall schedule a hearing of the Tenant's request to review the May 12, 2023 order.

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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.
5. Disclosure may be made **BY E-MAIL**. The LTB's e-mail address is ltb.evidence@ontario.ca.
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

15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

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.

