



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

Citation: DD Acquisitions Partnership v Krystal Buckley, 2023 ONLTB 39632

Date: 2023-05-17 **File Number:** LTB-
L-003249-22-BIR-IN

In the matter of: 7, 201 THE WEST MALL
ETOBICOKE ON M9C1C4

Between: DD Acquisitions Partnership Landlord

And

Frank Murphy and Krystal Buckley Tenants

DD Acquisitions Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Frank Murphy and Krystal Buckley (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

It is determined that:

1. The application was heard on July 20, 2022 and resolved by order LTB-L-003249-22, which was issued on April 6, 2023. The order required the Tenants to make various payments of arrears of rent and on-going rent to the Landlord on various dates between July 31, 2023 to January 31, 2023.
2. A landlord may file an application to end a tenancy and evict a tenant where the tenant failed to meet a condition of an order or a settlement facilitated by the Board. This is called an L4 application. Section 78(5) of the *Residential Tenancies Act, 2006* provides that an L4 application shall not be made more than 30 days after a tenant's breach of the order.
3. It appears that the payment dates in the order transpired more than 30 days before the order thereby depriving the Landlord of an opportunity to file an L4 application.

4. The Board may have seriously erred in delaying issuance of the order to a date that may have frustrated the Landlord's opportunity to file an L4 application. To address this concern, I determined that it is appropriate for me to initiate a Board review of the order,

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2023 ONL TB 39632 (CanLII)

It is ordered that:

Board staff are directed to schedule an expedited Board review hearing of order LTB-L-00324922, issued on April 6, 2022 and to send a Notice of Review Hearing to the parties.

May 17, 2023
Date Issued

Sean Henry
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.

