



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

**Citation:** Hollyburn Properties Ltb v Abdul Rahim Bangura, 2023 ONLTB 38320

**Date:** 2023-05-11

**File Number:** LTB-L-066835-22-RV

**In the matter of:** 211, 103 AVENUE RD  
TORONTO ON M5R2G9

**Between:** Hollyburn Properties Ltb Landlord

**And**

Abdul Rahim Bangura Tenant

### Review Order

Hollyburn Properties Ltb (the 'Landlord') applied for an order to terminate the tenancy and evict Abdul Rahim Bangura (the 'Tenant') because:

- the rental unit is the superintendent's premises and the Tenant's employment as superintendent has ended.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard on April 5, 2023 and resolved by order LTB-L-066835-22 issued on May 3, 2023.

On May 11, 2023 the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

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

### Determinations:

1. The Tenant's request for review alleges that the order contains a serious error. 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. The request alleges that the presiding Member's decision was based on misleading and/or incorrect information and that there were a number of deficiencies in the proceedings, however the request fails to elaborate on these allegations and does not identify where in the order or in the proceedings that the Member erred.
3. The balance of the request simply states that the Tenant is not happy with the Board order and the Member's findings.

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4. The Board's records confirm that the presiding Member heard and considered evidence from both parties and the order provides sufficient reasons for the Member's findings. The Member's findings are entitled to considerable deference. I will not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of hearing the evidence in its totality.
5. Although the Tenant disagrees with the May 3, 2023 Board order, the Board's review process is not an opportunity for a party to re-argue a matter that has been finally determined. In the absence of a demonstrable error in the order, or that a serious error occurred in the proceedings, the request to review the order must be denied.

**It is ordered that:**

1. The request to review order LTB-L-066835-22 issued on May 3, 2023 is denied. The order is confirmed and remains unchanged.

**May 11, 2023**

**Date Issued**

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Fabio Quattrociochi

Member, 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.

