



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

**Citation:** Osgoode Properties v Boucetta, 2023 ONLTB 33921

**Date:** 2023-04-24 **File Number:**  
LTB-L-005313-22-RV

**In the matter of:** 1102, 230 BRITTANY DR OTTAWA  
ON K1K0R6

**Between:** Osgoo de Properties Landlord

**And**

Assia Boucetta Tenant

### Review Order

Osgoode Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Assia Boucetta (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was resolved by order LTB-L-005313-22, issued on March 28, 2023.

On April 21, 2023, the Landlord requested a review of the 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. The Landlord concedes that it did not file written submissions with the Board by the September 28, 2022 deadline. The Landlord's vague explanation – "the receipt of the necessary information was unavoidably delayed" – is inadequate.
3. It is apparent from the Landlord's review submissions that the Landlord could have filed Certificates of Service with the Board to confirm that the Landlord gave a copy of its written submissions to the Tenant. The Landlord writes in the review request: "The 2 Certificates of Service, mentioned above, were admittedly not included with the Landlord's

Submissions, as, at the time it seemed more to be more important to get the submissions filed and served.”

4. The Landlord’s explanation for omitting to file Certificates of Service with the Board is inadequate. The Landlord’s decision not to file all relevant material with the Board in a

Order Page 1 out of 2



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timely manner was not reasonable in the circumstances, and does not represent a reviewable Board error.

5. The Board’s review process is not an opportunity for a party to re-argue an application that has been determined. The Landlord has not demonstrated that it was not reasonably able to participate in the written hearing per the Board’s timeline, or that a serious error exists in the March 28, 2023 order. The request to review the order will therefore be denied.

**It is ordered that:**

1. The request to review order LTB-L-005313-22, issued on March 28, 2023, is denied. The order is confirmed and remains unchanged.

**April 24, 2023**

**Date Issued**

15 Grosvenor Street, Ground Floor Toronto  
ON M7A 2G6

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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.

