



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

**Citation:** Thakur v Zaky, 2023 ONLTB 32840  
**Date:** 2023-04-18 **File Number:** LTB-L-  
081671-22-RV-IN2

**In the matter of:** 238 WEST MAIN ST  
WELLAND ON L3C5A5

**Between:** Haroonor Thakur Landlord

**And**

Sahar Zaky Tenant

**INTERIM ORDER**

On February 28, 2023, the Tenant requested that order LTB-L-081671-22 issued on February 27, 2023, be reviewed and that the order be stayed until the Tenant's request to review the order is resolved. This request was granted on a preliminary basis by interim order issued on March 1, 2023.

The review hearing took place by videoconference on April 13, 2023.

The Tenant attended the hearing along with a member of the legal clinic to assist the Tenant in her request for adjournment

The Landlord and Landlord's legal representative attended the hearing.

The French language interpreter, Suzanne Aubin was present and provide French interpretation to the Tenant.

**Determinations:**

1. Interim order directed to attend the hearing and be prepared to proceed on the merits of the original application should the review request be granted.

2. At the hearing scheduled on April 13, 2023 the Tenant requested an adjournment as the Tenant's legal representative was unable to attend and was not able to have another representative because of unavailability.
3. The Board did not receive a request to reschedule, although the parties had submitted their unavailable dates.

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4. The Landlord's opposed the request because concerns of further delays by the Tenant, the Tenant's now has rent arrears and the Landlord expressed apprehension regarding the Tenant's behaviour at the rental unit.
5. At the hearing I verbally advised the parties that an Interim Order would be issued to order the Tenant to continue to pay any new monthly rent that comes due until the matter is resolved. After reflection and determination, it would not be appropriate in this case to order payment of rent, as this matter does not involve arrears of rent application nor has the Landlord requested daily compensation on their L2 application. The Tenant is reminded of her ongoing obligations under the *Residential Tenancies Act (RTA)* "(the 'Act') to pay the monthly rent on time, failing which the Landlord can apply to the Board for an order to evict the Tenant and to collect the rent unpaid rent.

**It is ordered that:**

1. This matter be adjourned to a hearing to be scheduled on a priority basis by the Board and is preemptory on the Tenant; meaning that in the normal course of events no further adjournments shall be granted to the Tenant. The Tenant has been given this time to obtain legal counsel, however, this matter will proceed whether the Tenant has legal counsel or not when the matter is rescheduled by the Board.
2. 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.

**April 18, 2023**

**Date Issued**

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Nicole Huneault

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.