



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

Citation: 10-12 ST.DENNIS DRIVE LTD. v Symister, 2023 ONLTB 32871

Date: 2023-04-17 **File Number:** LTB-
L-040174-22-RV-IN

In the matter of: 501, 10 ST DENNIS DR
NORTH YORK ON M3C1E9

Between: 10 -12 ST.DENNIS DRIVE LTD. Landlord

And

Elouise Symister Tenant

INTERIM ORDER

On April 14, 2023, the Landlord requested that order LTB-L-040174-22, issued on April 4, 2023, be reviewed.

Determinations:

1. The Landlord submits the April 4, 2023 order contains serious errors. The Landlord submits the determinations in the order are not supported by the evidence introduced at the February 16, 2023 hearing.
2. The matter is directed to a review hearing to determine whether the request to review should be granted or denied.
3. Should the review be granted, a new hearing may be held on the same day to determine the merits of the original application about non-payment of rent.
4. A failure to attend the review hearing may be viewed as an abuse of process and may result in costs being ordered against the Landlord.

It is ordered that:

1. The LTB shall schedule a hearing of the Landlord's request to review the April 4, 2023 order.

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.
3. 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

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hearing. This includes any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing.

4. Disclosure may be made **BY E-MAIL**. The LTB's e-mail address is ltb.evidence@ontario.ca.
5. If e-mail communication is unavailable or inadequate for the exchange of evidence the parties shall comply with all Health Canada guidelines with respect to social distancing and isolation available at <https://www.canada.ca/en/public-health/services/diseases/2019novel-coronavirus-infection/guidance-documents.html>.
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.

April 17, 2023

Date Issued

Harry Cho

Vice Chair, 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.

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