



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

Citation: Toronto Community Housing Corporation v Walter Kangas, 2023 ONLTB 31109

Date: 2023-04-05 **File Number:**
LTB-L-002921-23-RV

In the matter of: 420, 145 STRATHMORE BOULEVARD TORONTO
ONTARIO M4J4Y9

Between: Toronto Community Housing Corporation Landlord

And

Walter Kangas Tenant

Review Order

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Walter Kangas (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on August 17, 2022 with respect to application TSL-22657-21.

This application was resolved by order LTB-L-002921-23 issued on March 6, 2023.

On April 4, 2023, the Public Guardian and Trustee (PGT), the statutory guardian for the Tenant, requested a review of order LTB-L-002921-23 issued on March 6, 2023 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. On the basis of the submissions made in the request, I am not satisfied the Tenant was not reasonably able to participate in the proceeding or that there is a serious error in the order.
2. The sole basis for the request for review is that the Tenant was not reasonably able to participate in the proceeding.
3. The order under review is an *ex parte* order issued pursuant to s.78 of the *Residential Tenancies Act, 2006* (the 'Act'). It was issued without a hearing as contemplated by s. 78(6). Therefore, there is no participation in a proceeding like this one by the respondent tenant.

4. If the Tenant disagrees with the order, the Tenant may wish to file a motion to set aside with an extension of time request pursuant to s. 78(9) of the Act.

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5. Given the above, the request for review must be denied. The Tenant was not denied the right to reasonably participate in the hearing because there was no hearing and the order contains no serious error on the face of the record.

It is ordered that:

1. The request to review order LTB-L-002921-23 issued on March 6, 2023 is denied. The order is confirmed and remains unchanged.

April 5, 2023

Date Issued

Dana Wren

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.

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