



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

Citation: Chapman v Krul, 2023 ONLTB 25382

Date: 2023-03-17 **File Number:**
LTB-L-029070-22-RV

In the matter of: 2nd Unit, 5253 VASEY RD
MIDLAND ON L4R4K3

Between: Dawn Chapman Landlord

And

John Kelly

Alianna Krul Tenants

Review Order

Dawn Chapman (the 'Landlord') applied for an order to terminate the tenancy and evict Alianna Krul and John Kelly (the 'Tenant') because the Tenants did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-029070-22 issued on February 3, 2023.

On February 8, 2023, the requested a review of the order.

The request was heard by videoconference on March 6, 2023. The Landlord's representative Lawrence Pomfret, and the Tenants, attended the hearing.

Determinations:

1. The Tenants vacated the rental unit on June 30, 2022. The Tenants do not disagree with the amount of arrears and costs ordered by the Board.
2. The Tenants have filed T2 and T6 applications with the Board which have not yet been heard. Should the Board find that it is appropriate for the Tenants to receive an abatement of rent, the order related to the applications will make that determination.
3. The Tenants did not disclose any issues they intended to raise at this hearing prior to the hearing as required by the Board's Rules. As such, any issues will be properly addressed with their applications.

4. As the Tenant has been terminated there is no requirement to consider submissions under section 83 of the Act.
5. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.

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Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

It is ordered that:

1. The request to review order LTB-L-029070-22 issued on February 3, 2023 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on February 9, 2023 is cancelled. The stay of order LTB-L029070-22 is lifted immediately.

March 17, 2023

Date Issued

Greg Joy
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.

