



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

Citation: ARMSTRONG v AHMAD, 2023 ONLTB 25411

Date: 2023-03-15 **File Number:**
LTB-T-068696-22-RV

In the matter of: 2128 MEADOWGATE BOULEVARD LONDON
ON N6M0H5

Between: MAY YOUSEF Tenants
WILLIAM ARMSTRONG

And

AZEEM AHMAD Landlord

Review Order

MAY YOUSEF and WILLIAM ARMSTRONG (the 'Tenants') applied for an order determining that AZEEM AHMAD (the 'Landlord') substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of the Tenants' household; and withheld or interfered with the Tenants' vital services.

This application was resolved by order LTB-T-068696-22 issued on January 4, 2023.

On January 31, 2023, the Landlord requested a review of the order and that the order be stayed until the request to review the order is resolved.

On February 10, 2023, interim order LTB-T-068696-22-RV-IN was issued, staying the order issued on January 4, 2023.

This application was heard in by videoconference on March 6, 2023.

Only the Landlord attended the hearing.

As of 9:44 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

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Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

Determinations:

1. The Landlord submitted that there was a serious error in the order issued on January 4, 2023.
2. The order determines that the Landlord disclosed the Tenants' personal information to a third party without the consent of the Tenants in breach of s. 7(3) of the *Personal Information Protection and Electronic Documents Act* (PIPEDA). As a result, the Landlord was ordered to pay an administrative fine of \$1,000.00 to the Board.
3. The Landlord is challenging the order by stating that he never breached the privacy of the Tenants and that it was a requirement for him to let Enercare know about the residents of the rental property. The Landlord added that it was Enercare who had mistakenly created a new account in the name of the Tenants and that the fault was not his. The Landlord stated that the Board fine was unfair as he did nothing wrong
4. However, upon questioning the Landlord, I inquired if he obtained permission from the Tenants before releasing their private information to a third party. The Landlord responded in the negative.
5. The fact that another account was created by Enercare is the direct result of the Landlord releasing private information about the Tenants. Therefore, on the basis of the submissions made, I am not satisfied that there is a serious error in the order. As such, the Landlord's request is denied.

It is ordered that:

1. The request to review order LTB-T-068696-22 issued on January 4, 2023, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on February 10, 2023, is cancelled. The stay of order LTB-T068696-22-RV-IN is lifted immediately.

March 15, 2023

Date Issued

Michael Di Salle

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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