



In the matter of: 2504, 15 TOBERMORY DR
NORTH YORK ON M3N2R5

Between: Toronto Community Housing Corporation Landlord

And

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

Citation: Toronto Community Housing Corporation v Faludy, 2023 ONLTB 25467
Date: 2023-03-07

File Number: LTB-L-031026-22-RV
Dianna Faludy Tenant

Review Order

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Dianna Faludy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-031026-22, issued on February 1, 2023.

On February 24, 2023, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

A preliminary review of the request was completed without a hearing.

Determinations:

1. The Tenant submits there is a serious error in the order because the arrears of rent are wrong. The Tenant also submits that they were not reasonably able to participate in the hearing because of their disability.
2. No further details are provided in the request with respect to how the arrears are wrong or how the Tenant's disability prevented the Tenant from participating at the hearing.
3. On February 27, 2023, the Board contacted the Tenant requesting additional details with respect to their request to review. The Tenant was given a deadline of March 3, 2023 to respond. The Tenant was informed that a decision will be made after March 3, 2023, based on the information provided.

4. As of the date of this order, the Tenant has not provided any further information with respect to their request to review.
5. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Tenant was not reasonably able to participate in the proceeding.

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Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

6. The Tenant provides not details about how their disability prevent them from participating at the hearing. It appears from the LTB's records that the Tenant received the Notice of Hearing from the Board. The Tenant was not present at the hearing to dispute the arrears. Therefore, the hearing member was entitled to rely on the Landlord's uncontested evidence with respect to the arrears owed. I am not satisfied that there is a serious error in the calculation of arrears.
7. Accordingly, the Tenant's request to review must be denied.

It is ordered that:

1. The request to review order LTB-L-031026-22, issued on February 1, 2023, is denied.
2. The order is confirmed and remains unchanged.

March 7, 2023

Date Issued

Khalid Akram

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.

