



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

Citation: Kiar v Khan, 2023 ONLTB 19920

Date: 2023-02-06

File Number: LTB-T-074699-22-RV3

In the matter of: 102, 10 Eddystone Avenue
North York Ontario M3N2T2

Between: Abdulkadir Kiar Tenant

And

Geeta Khan Landlords
Patrick Khan

Review Order

Abdulkadir Kiar (the 'Tenant') applied for an order determining that Geeta Khan and Patrick Khan (the 'Landlords'):

- entered the rental unit illegally;
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys;
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of the Tenant's household;
- harassed, obstructed, coerced, threatened or interfered with the Tenant;
- did not give the Tenant 72 hours to remove the Tenant's property from the rental unit or from some place close to the rental unit.

This application was resolved by order TNT-19770-19, issued on October 25, 2021.

On November 3, 2021, the Tenant the requested a review of the October 25, 2021 order. The review hearing was held on May 4, 2022. Only the Tenant attended the hearing. The Tenant's review request was resolved by review order TNT-19770-19-RV, issued on May 16, 2022.

On May 26, 2022 the Landlords requested a review of the May 16, 2022 review order. The review hearing was held on July 14, 2022. The Tenant and the Landlords attended the hearing. The Landlords' review request was resolved by review order TNT-19770-19-RV2, issued on January 26, 2023.

On February 3, 2023, the Landlords requested a further review of review order TNT-19770-19-RV2.

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 that there is a serious error in the order or that a serious error occurred in the proceedings, and/or that the Landlords were not reasonably able to participate in the May 4, 2022 proceeding.
2. The January 26, 2023 review order determines that the Landlords did not show they were not reasonably able to participate in the May 4, 2022 proceeding.
3. Rule 26.18 of the Board's Rules of Procedure do not permit the Landlords to review the January 26, 2023 review order. The Landlords' request must accordingly be denied.

It is ordered that:

1. The request to review Board review order LTB-T-074699-22-RV2, issued on January 26, 2023, is denied. The order is confirmed and remains unchanged.

February 6, 2023
Date Issued

Harry Cho
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.