



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

Citation: Jones v Morris, 2023 ONLTB 19879

Date: 2023-02-06

File Number: LTB-T-076178-22-RV

In the matter of: 2, 62 Erie Avenue
Brantford ON N3S2E8

Between: Roy Jones Tenant

And

Stephen Morris Landlord

Review Order

Roy Jones (the 'Tenant') applied for an order determining that Stephen Morris (the 'Landlord'):

- 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.

This application was resolved by order LTB-T-076178-22, issued on December 19, 2022.

On February 3, 2023, the Tenant requested a review of the order.

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.
2. In the review request, the Tenant raises arguments that were made at the May 18, 2022 hearing. The Tenant disagrees with the presiding adjudicator's finding and repeats his submission that the Landlord refused to accept payments.
3. The Board's review process is not an opportunity for a party to re-litigate a matter that has been finally determined, with the hope of achieving a different result. Additionally, whether the Landlord refused to accept the Tenant's payments was addressed in Board order SOL-23197-21-SA, issued on October 27, 2021. The Tenant's submissions at the May 18, 2022 hearing, and in this present review request, represent a collateral attack on the October 27, 2021 order.
4. The Tenant's submissions are therefore not grounds to review the December 19, 2022 order. The review request must accordingly be denied.



It is ordered that:

1. The request to review order LTB-T-076178-22, issued on December 19, 2022, 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.