



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

Citation: Watters v Wardleworth, 2023 ONLTB 19806

Date: 2023-02-06

File Number: LTB-L-002790-22-RV

In the matter of: Lower Level, 109 Dodson Street
Kemptville ON K0G1J0

Between: Joshua Marc Peter Watters Landlords
Lisa Mary Needham
Megan Margaret Nicole Watters

And

Jeannie Wardleworth Tenant

Review Order

Joshua Marc Peter Watters, Lisa Mary Needham and Megan Margaret Nicole Watters (the 'Landlords') applied for an order to terminate the tenancy and evict Jeannie Wardleworth (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was resolved by order LTB-L-002790-22, issued on January 6, 2023.

On February 1, 2023, the Tenant the requested a review of the order.

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

Determinations:

1. I have listened to the August 8, 2022 hearing recording and I have reviewed the Board's application record. 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. The hearing recording shows that the Tenant's legal representative cross-examined the testimony of the Landlords who participated in the hearing. The Tenant's submission, that she was denied procedural fairness because she was not permitted to cross-examine the Landlords, is incorrect.
3. The hearing recording also shows that the Tenant was afforded – and exercised – a full right to participate in the proceeding. The Tenant was represented by a Licensee of the Law Society of Ontario, who led the Tenant through an examination-in-chief of the



Tenant's evidence and who also cross-examined the Landlords who gave evidence at the hearing. Although the Tenant seeks to raise issues in the review request, the Board's review process is not an opportunity for a party to re-argue a matter that has been determined in a final way. The Tenant's submissions regarding the tenancy period, and evidence that was introduced at the January 6, 2023 hearing, therefore do not represent good cause to review the order.

4. The Tenant has accordingly not shown that a serious error occurred at the August 8, 2022 hearing, or that a serious error exists in the January 6, 2023 order. The request to review the order must in the circumstances be denied.

It is ordered that:

1. The request to review order LTB-L-002790-22, issued on August 8, 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.

