



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

Citation: Mackenzie v Nasiopoulos, 2023 ONLTB 18872

Date: 2023-02-02 **File Number:**
LTB-L-028302-22-RV

In the matter of: 14 SALVI CRT
NORTH YORK ON M4A1P7

Between: Poppy Mackenzie Landlord

And

Eva Nasiopoulos Tenants Thame Nasiopoulos

Review Order

Poppy Mackenzie (the 'Landlord') applied for an order to terminate the tenancy and evict Eva Nasiopoulos and Thame Nasiopoulos (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord also claimed charges related to NSF cheques.

This application was resolved by order LTB-L-028302-22 issued on January 30, 2023.

On February 1, 2023, the Tenants 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 Tenants believe that the order contains a serious error.
2. 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.
3. The Tenants submit that they have realized that there have been invalid rent increases over the last 6 years totalling over \$20,000.00 and that they need more time to resolve the arrears and/or make alternate living arrangements citing their personal circumstances.

4. The Tenants' submissions do not allege a serious error.
5. It does not appear from the order or from the review request that the alleged illegal rent increases were raised at the hearing.

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Commission de la location immobilière

6. The order considers the Tenants' circumstances and provides adequate reasons for denying the Tenants relief from eviction. The decision to terminate the tenancy on February 10, 2023 falls within a range of reasonable and acceptable outcomes given the circumstances of this case. It is therefore entitled to deference.
7. The request to review seeks to revisit the presiding adjudicator's decision. While the Tenants clearly disagree with the decision, the purpose of the review process is not to provide parties with an opportunity to relitigate the issues, or raise new issues, in hopes of achieving a better outcome.
8. The request to review must be denied because it fails to allege a serious error in the order or proceedings.

It is ordered that:

1. The request to review order LTB-L-028302-22, issued on January 30, 2023, is denied.
2. The order is confirmed and remains unchanged.

February 2, 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.

