



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

Citation: 235 REBECCA STREET LTD v BLAKELEY, 2023 ONLTB 17036

Date: 2023-01-27

File Number: LTB-L-052990-22-RV

In the matter of: 1207, 235 REBECCA STREET
HAMILTON ON L8R3H4

Between: 235 REBECCA STREET LIMITED Landlord

And
JESSICA BLAKELEY Tenant

Review Order

235 REBECCA STREET LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict JESSICA BLAKELEY (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy. (L3 application)

This L3 application was resolved by *ex parte* order LTB-L-052990-22 issued on November 8, 2022 (the 'LTB Order').

The Tenant filed a motion to set aside the LTB Order and on December 6, 2022, a motions hearing was held by videoconference. The result of that hearing was order LTB-L-052990-22-SA which issued on December 9, 2022 (the 'SetAside Order')

On December 19, 2022, the Tenant requested a review of the SetAside Order, claiming she was not reasonably able to participate in the proceedings, and that the order be stayed until the request to review the order is resolved.

On December 20, 2022, interim order LTB-L-052990-22-RV-IN was issued, in effect staying the SA Order and the LTB Order until otherwise ordered.

The Tenant's review request was heard in by videoconference on January 12, 2023.

Neither the Tenant nor the Landlord attended the hearing. The review request was heard at 10:11 am. Throughout the hearing block, I monitored for any one of the two parties who might have tried to join the videoconference. At 12:08 pm at the end of the hearing block, I again called out for the parties of this matter but there was no one present for either party.

Determinations:



1. Because the Tenant did not attend the hearing, I find that their review request has been abandoned.
2. As such, I find that the Tenant's review request is to be denied.

It is ordered that:

1. The request to review the SetAside Order, that is order LTB-L-052990-22-SA that issued on December 9, 2022, is denied. That order is confirmed and remains unchanged.
2. Interim order L-LTB-052990-22-RV-IN issued on December 20, 2022, is cancelled.
3. To be clear, the stay on LTB-L-052990-22-SA that issued on December 9, 2022, is lifted immediately. As well, the stay on order LTB-L-052990-22 issued on November 8, 2022, is lifted immediately.

January 27, 2023
Date Issued

Alex Brkic
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.