



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

Citation: Niagara Regional Housing v Blum, 2023 ONLTB 15934

Date: 2023-01-19

File Number: LTB-L-020888-22-RV
LTB-L-033693-22-RV

In the matter of: 8, 6980 AILANTHUS AVE
NIAGARA FALLS ON L2G4C8

Between: Niagara Regional Housing Landlord

And

Holly Blum Tenant

Review Order

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Holly Blum (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

The Landlord also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

This application was resolved by order LTB-L-020888-22 and LTB-L-033693-22 issued on November 10, 2022.

On November 28, 2022, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 20, 2022, interim order LTB-L-020888-22-RV-IN & LTB-L-033693-22-RV-IN was issued, staying the order issued on November 10, 2022.

This application was heard in by videoconference on January 16, 2023. Only the Landlord's legal representative, J. Callender, attended the hearing.



Determinations:

1. As of 9:58 a.m., the Tenant was not present or represented. The Board's records show that the Tenant was mailed the Notice of Review hearing at the rental unit on December 28, 2022. The Landlord submitted that the Tenant was no longer residing in the unit as of December 12, 2022. The Landlord submitted that the Tenant did not provide a forwarding address or advise the Landlord of their new address. As the Tenant was served with the Notice of Review hearing at their last known address, I am satisfied that the Tenant was properly notified of the hearing.
2. Since the Tenant did not appear at the hearing to support their request to review, I find that this review has been abandoned. The request is therefore denied.

It is ordered that:

1. The request to review order LTB-L-020888-22 and LTB-L-033693-22 issued on November 10, 2022 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on December 20, 2022 is cancelled. The stay of order LTB-L-020888-22 and LTB-L-033693-22 is lifted immediately.

January 19, 2023
Date Issued

Camille Tancioco
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.