



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

Citation: Zhang v Mohamed, 2023 ONLTB 13780

Date: 2023-01-03

File Number: LTB-L-021654-22-RV

In the matter of: 616 EGRET WAY
NEPEAN ON K2J6K9

Between: Weijia Zhang Landlord

And

Rownagg Mohamed Tenant
Taylor MacDonald

Review Order

Weijia Zhang (the 'Landlord') applied for an order to terminate the tenancy and evict Rownagg Mohamed and Taylor MacDonald (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 or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex.

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

This application was resolved by order LTB-L-021654-22 issued on September 27, 2022.

On November 29, 2022, the Tenant Taylor MacDonald requested a review of the order and that the order be stayed until the request to review the order is resolved.

On November 30, 2022 interim order LTB-L-021654-22-RV-IN was issued, staying the order issued on September 27, 2022.

This review was heard in by videoconference on December 20, 2022.

The Landlord, the Landlord's Legal Representative Yat Yin Cheng, the Tenant (male) Taylor MacDonald, the Tenant's (male) Legal Representative Al Martin, the Tenant (female) Taylor Macdonald attended the hearing.



Determinations:

1. On the basis of the submissions made in the request and at the hearing, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.
2. Prior to the commencement of the hearing, two individuals, one male and one female, identified themselves as the Tenant Taylor MacDonald. The male Tenant Taylor MacDonald appeared on camera while the female Tenant Taylor MacDonald appeared on the phone. The male Tenant's Legal Representative Al Martin ('AM') stated that the female Tenant Taylor MacDonald was actually the Tenant Rownagg Mohamed and she was personating the Tenant Taylor MacDonald. AM submitted that his client has never lived at 616 Egret Way, Nepean.
3. AM submitted that the request to review was a forgery and that the Tenant Rownagg Mohamed used the male Taylor MacDonald's email address to file the documentation with the Board. AM stated that the only reason he and his client became aware of this review hearing was because the Board sent an email requesting payment information for this review.
4. The female Tenant Taylor MacDonald insisted that she was Taylor MacDonald and that she was only requesting additional time to vacate, specifically to January 30, 2023.
5. Due to the circumstances, I asked the female Tenant Taylor MacDonald to contact her partner, the Tenant Rownagg Mohamed and have her attend this hearing.
6. When the Tenant Rownagg Mohamed came into the hearing room on the phone, the female Taylor Macdonald put her phone on mute and did not remove herself off mute while the Tenant Rownagg submitted that she was currently at work, had 20 dogs to look after and had to leave. The Tenant Rownagg Mohamed then was either disconnected or hung up the phone and did not re-attend the hearing.
7. I then asked the female Taylor MacDonald to take herself off mute but she did not. At approximately 1:50 p.m. the female Taylor MacDonald had still not removed herself from mute despite my repeated requests to do so. When this matter was completed at 1:53 p.m., the female Tenant Taylor MacDonald then disconnected the call and left the hearing.
8. Based on the submissions at the hearing, the request being sought was actually discretionary relief from eviction. That is not the purpose of a review. The purpose of a review is to determine whether an order contains a serious error. There were no submissions of any serious error in the order or that there was a serious error in the proceedings.
9. On the basis of the submissions made in the request and at the hearing, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings. Since the request does not identify any error in the order, the review will be denied.



It is ordered that:

1. The request to review order LTB-L-021654-22 issued on September 27, 2022 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on November 30, 2022 is cancelled. The stay of order LTB-L-021654-22 is lifted immediately.

January 3, 2023
Date Issued

Heather Chapple
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.