



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

Citation: Heffernan v Brier, 2022 ONLTB 14266

Date: 2022-12-12

File Number: LTB-L-032708-22-RV

In the matter of: 2371 REDMOND RD
OTONABEE ON K9J6X7

Between: Courtney Heffernan, Mike Heffernan Landlords

And

Steven Brier Tenant

Review Order

Courtney Heffernan and Mike Heffernan (the 'Landlord') applied for an order to terminate the tenancy and evict Steven Brier (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully caused undue damage to the premises.

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-032708-22 issued on November 17, 2022.

On December 8, 2022, Albert Heffernan, requested a review of the order, alleging that the order contains a serious error.

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

Determinations:

1. The Tenant did not attend the hearing for the Landlord's L2 application on November 10, 2022. After the hearing the Member determined that the Tenant caused wilful damage to the rental unit and that the Tenant impaired the safety of other people, and he issued an eviction order.
2. Albert Heffernan (AF) filed a request for a review, ticking the box alleging that the order contains a serious error. AF is not a party to the application. He states that one of the Landlords is his nephew.



3. In the box that asks the requester for details about why they believe the order contains a serious error, AF has not alleged any serious error in the order. AF has also failed to allege what, if anything, is his relationship to this tenancy.
4. 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, or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-032708-22 issued on November 17, 2022, is denied. The order is confirmed and remains unchanged.

December 12, 2022
Date Issued

Nancy Morris
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.