



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

Citation: Subramaniam v Pathmanathan, 2022 ONLTB 13603

Date: 2022-12-08

File Number: LTB-L-021839-22-RV

In the matter of: 21 PEARL LAKE RD
MARKHAM ON L6B0X4

Between: Kamalenthiran Subramaniam Landlord

And

Sathees Pathmanathan, Suvarna Sathees Tenant

Review Order

Kamalenthiran Subramaniam (the 'Landlord') applied for an order to terminate the tenancy and evict Sathees Pathmanathan, Suvarna Sathees (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-021839-22 issued on November 17, 2022, and amended on December 1, 2022.

On November 28, 2022, the Landlord 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 Landlord requests a review of the order issued on November 17, 2022, because the hearing Member failed to reflect in the order that the last month's rent deposit had been depleted, and there was therefore no longer a last month's rent deposit by the time the Tenants moved out of the rental unit in May 2022.
2. The error alleged by the Landlord is not a serious error. However, upon review of the hearing recording, I find that Landlord's legal representative informed the Member that there was no last month's rent deposit, and the Member said they accept the Landlord's uncontested evidence. The hearing Member has now issued an amended order to correct that inadvertent omission.
3. This error was an inadvertent clerical error that has been corrected in the amended order, issued on December 1, 2022.
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.

It is ordered that:

1. The request to review order LTB-L-021839-22 issued on November 17, 2022, and amended on December 1, 2022, is denied. The order is confirmed and remains unchanged.

December 8, 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.