



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

Citation: Chettiar v Arian-pour, 2022 ONLTB 12643

Date: 2022-11-24

File Number: LTB-L-025948-22-RV

In the matter of: 60 KLEIN'S RIDGE
KLEINBURG ON L0J1C0

Between: Nataraj Chettiar Landlord

And

Alireza Arian-pour Tenant

Review Order

Nataraj Chettiar (the 'Landlord') applied for an order to terminate the tenancy and evict Alireza Arian-pour (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 Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard on August 30, 2022 and resolved by order LTB-L-025948-22 issued on September 22, 2022.

On October 21, 2022 the Tenant requested a review of the order alleging that they were not reasonably able to participate in the hearing and that the order contained a serious error.

On October 24, 2022 interim order LTB-L-025948-22-RV-IN was issued, staying the order issued on September 22, 2022

This request for review was heard in by videoconference on November 15, 2022. The Landlord's legal representative Adeela Alvez and the Tenant's legal representative Rochelle Cantor attended the hearing.

Determinations:

- The Tenant has vacated the rental unit on October 31, 2022.
- At the hearing, the Tenant's legal representative requested to withdraw the request for review.

Costs:

3. The Landlord's legal representative requested that the Tenant be ordered to pay \$500.00 in costs. The Landlord argues that the Tenant's request for review is an abuse of process and caused unreasonable delay.
4. In review of the Board's file and the submissions of the parties, the Landlord's requests for costs is denied.
5. The parties agree that on November 2, 2022, the Tenant's legal representative advised the Landlord's representative that the matter would be withdrawn and that the Tenant had vacated the rental unit. The Landlord was put on advance notice that the Tenant would be withdrawing their request for review and as such, should not have incurred any additional legal costs in preparing for the review hearing.
6. I further note that the Tenant had vacated in accordance with the Board's order issued on September 22, 2022. As such, the request for review has caused no delay or prejudice to the Landlord.

It is ordered that:

1. The request to review order LTB-L-025948-22 issued on September 22, 2022 is withdrawn. The order is confirmed and remains unchanged.
2. The interim order issued on October 24, 2022 is cancelled. The stay of order LTB-L-025948-22 is lifted immediately.

November 24, 2022

Date Issued

Fabio Quattrociochi
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.