



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

Citation: Hurontario (2440) Div. v Koblyuk, 2022 ONLTB 11142

Date: 2022-11-08

File Number: LTB-L-008113-22-RV

In the matter of: 1707, 2440 HURONTARIO ST
MISSISSAUGA ON L5B1N2

Between: Hurontario (2440) Div. Landlord

And

Oleksandr Koblyuk Tenant

Review Order

Hurontario (2440) Div. (the 'Landlord') applied for an order to terminate the tenancy and evict Oleksandr Koblyuk (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-008113-22 issued on September 27, 2022.

On October 7, 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 October 12, 2022 interim order LTB-L-008113-22-RV-IN was issued, staying the order issued on September 27, 2022.

This application was heard in by videoconference on November 2, 2022.

The Landlord and the Tenant attended the hearing. The Landlord was represented by Geoff Paine. The Tenant declined to speak with Tenant Duty Counsel.

Determinations:

1. At the hearing, the Landlord conceded that the order issued on September 27, 2022 contained a serious error – that it ordered an incorrect amount of arrears, particularly since the Tenant had filed a consumer proposal.
2. As such, the Landlord consented to the Tenant's request for review and sought to withdraw their application.
3. The Tenant did not object to the Landlord's request to withdraw their application.

4. In accordance with subsection 200(4) of the *Residential Tenancies Act, 2006*, I consent to the withdrawal of the application.

It is ordered that:

1. The request to review order LTB-L-008113-22 issued on September 27, 2022 is granted and replaced with the following order.
2. The interim order issued on October 12, 2022 is cancelled.
3. The Landlord's application is dismissed.

November 8, 2022

Date Issued

Sonia Anwar-Ali
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.