



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

Citation: Mugford v Burleigh, 2022 ONLTB 11335

Date: 2022-11-04

File Number: LTB-L-000087-22-RV2

In the matter of: 471 HIGHBURY AVE N
LONDON ON N5W4K2

Between: Bryce Mugford Landlord

And

Bill Burleigh Tenant

Review Order

Bryce Mugford (the 'Landlord') applied for an order to terminate the tenancy and evict Bill Burleigh, Sabrina Burleigh (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-000087-22 issued on July 6, 2022.

The Tenant's daughter requested a review of the order, and that review was resolved in order LTB-L-000087-22-RV issued on October 26, 2022.

On November 2, 2022, the Tenant's daughter, S. Burleigh (SB) again requested a second review, alleging that the order LTB-L-000087-22-RV issued on October 26, 2022, contains a serious error.

Determinations:

1. In the first review request, the Tenant alleged that they were not reasonably able to participate in the hearing held on June 23, 2022.
2. The Member hearing the September 2022 review hearing, permitted the Tenant to send post hearing submissions, and she considered email correspondence between the Tenant and the Board. Nevertheless, after the review hearing of September 22, 2022, the Member found, on the basis of all the documentary evidence, testimony and surrounding circumstances, that the Tenant had received the notice of hearing for the June 2022 hearing, and that they were reasonably able to participate but chose not to.
3. The Tenant's daughter seeks a second review alleging that the review order contains a serious error.
4. In the box requesting the Tenant to explain in detail why they believe the order contains a serious error, they have failed to allege any serious error in the order, merely stating that

they sent in the post hearing submission that they were permitted to send by the reviewing Member.

5. Even if I were to disregard the Rule 26.18 of the Board's Rules of Procedure which provide that the Board will not consider a further request to review from the same requesting party, the Tenant's daughter has failed to allege any grounds for further review of the review order.
6. On the basis of Rule 26.18 of the Board's Rules of Procedure, as well as the submissions made in the request, I deny the second review request, and 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-000087-22 issued on October 26, 2022, is denied. The order is confirmed and remains unchanged.

November 4, 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.