



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

Citation: Brosseau v Murphy, 2022 ONLTB 10552

Date: 2022-10-28

File Number: LTB-L-009770-22-RV

In the matter of: 3, 3757 SAUVE AVENUE
CHELMSFORD ON P0M1L0

Between: Marcel Brosseau Landlord

And

Rob Murphy Tenant

Review Order

This application was resolved by order LTB-L-009770-22 issued on September 26, 2022.

On October 7, 2022, the Tenant requested a review of the order.

The request was heard on October 26, 2022. The Landlord's representative Angie Gravelle, and the Tenant, attended the hearing.

Determinations:

1. The Tenant claims he did not receive a notice of hearing and therefore was not reasonably able to participate.
2. The Landlord's representative submits there is no record of the notice of hearing being returned to the Board, and that on August 9, 2022, approximately three weeks prior to the hearing, the representative both emailed a copy of the notice of hearing to the email address that the Landlord corresponds with the tenant, as well as mailing a copy of the notice of hearing to the Tenant to ensure he was aware of the hearing.
3. The Landlord's representative also submits that the Landlord has made monthly attempts to work with the Tenant without success. The Tenant has made no rent payments to the Landlord since the application was filed with the Board on February 17, 2022.
4. The Landlord filed the order with the Sheriff and the Sheriff delivered the eviction order on September 28th for enforcement on October 11th. The Tenant filed the request to review on October 7, 2022.
5. The Tenant testified that the amount of the rent is incorrect but presented no evidence to support this claim.
6. 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. I find the Tenant was made aware of the hearing through multiple sources and chose not attend the hearing.

It is ordered that:

1. The request to review order LTB-L-009770-22 issued on September 26, 2022 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 11, 2022 is cancelled. The stay of order LTB-L-009770-22 is lifted immediately.

October 28, 2022

Date Issued

Greg Joy
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.