



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

Citation: Kethesvaran v Elliott, 2022 ONLTB 9791

Date: 2022-10-21

File Number: LTB-L-000680-21-RV

In the matter of: Basement, 271 JOHN TABOR TRAIL
Scarborough ON M1B2R8

Between: Rasiah Kethesvaran Landlord

And

Mary Elliott Tenant

2022 ONLTB 9791 (CanLI)

Review Order

Rasiah Kethesvaran (the 'Landlord') applied for an order to terminate the tenancy and evict Mary Elliott (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy and evict 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; and
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises.

This application was resolved by order LTB-L-000680-21 issued on August 26, 2022.

On September 25, 2022, the Landlord requested a review of the order.

On September 27, 2022 interim order LTB-L-00680-21-RV-IN was issued, staying the order issued on August 26, 2022.

The request was heard via videoconference on October 19, 2022. Only the Tenant, and the Tenant's legal representative, K. Laforest, attended the hearing. As of 1:30 p.m., the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

Determinations:

1. Since the Landlord did not appear at the hearing to support their review, I find that this review has been abandoned.

It is ordered that:

1. The request to review order LTB-L-000680-21 issued on August 26, 2022 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on September 27, 2022 is cancelled. The stay of order LTB-L-000680-21 is lifted immediately.

October 21, 2022

Date Issued

Camille Tancioco
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.