



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

Citation: Ossington Rental Partnership v Barton, 2022 ONLTB 9521

Date: 2022-10-19

File Number: LTB-L-003857-22-RV

In the matter of: 2, 1145 OSSINGTON AVE
TORONTO ON M6G0A3

Between: Ossington Rental Partnership Landlord

And

Christopher Barton Tenant

Review Order

Ossington Rental Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Christopher Barton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-003857-22 issued on September 20, 2022.

On October 18, 2022, the Tenant requested a review of the order alleging that the order contains a serious error.

Determinations:

1. The Landlord filed an L1 application for arrears of rent. At the merits hearing held on August 24, 2022, the hearing Member issued a standard termination order. The rent arrears to September 30, 2022, were over \$46,000.00, which is substantially over the Board's jurisdictional limit. The Tenant was also awarded a substantial rent abatement of 20% for five months, which brought the total owed to just under \$35,000.00 to September 30, 2022.
2. The Tenant raised a number of section 82 maintenance claims at the hearing, for which he was awarded the rent abatement mentioned above in paragraph 1.
3. In the Tenant's request for a review, he ticked the box on the Board's request form that states "I believe the order contains a serious error." However, in the box in which the party making the request is supposed to explain in detail why they believe the order contains a

2022 ONLTB 9521 (CanLI)

serious error, the Tenant has not alleged any error. The Tenant has described his circumstances, and he requests more time before the eviction becomes enforceable.

4. In the hearing order, the Member discusses the Tenant's circumstances in a fair bit of detail. She weighed the circumstances of both parties, the plans of the Tenant for alternative accommodation, and the substantial amount of arrears, and she concluded by postponing the eviction almost an entire month longer than the usual standard termination order.
5. Consequently, I find that the Tenant has failed to allege any serious error in the order. The hearing Member properly considered all the Tenant's circumstances under section 83 of the *Residential Tenancies Act, 2006*, and she granted the Tenant more time before eviction could be enforced.
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.

It is ordered that:

1. The request to review order LTB-L-003857-22 issued on September 20, 2022, is denied. The order is confirmed and remains unchanged.

October 19, 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.