



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

File Number: LTB-L-060929-25-RV

In the matter of: 46 WHITMER ST
MILTON ON L9T0R5

Between: FAYEZ AL-RIFAIE Landlord

And

YASER GHANEM Tenants
YASMEEN GHANEM

Review Order

FAYEZ AL-RIFAIE (the 'Landlord') applied for an order to terminate the tenancy and evict YASER GHANEM and YASMEEN GHANEM (the 'Tenants') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was resolved by order LTB-L-060929-25 issued on October 31, 2025.

On November 5, 2025, the Tenants requested a review of the order and that the order be stayed until the request to review the order is resolved.

On November 5, 2025 interim order LTB-L-060929-25-RV-IN was issued, staying the order issued on October 31, 2025.

The review was heard by videoconference on November 27, 2025 and granted by way of interim review order issued on December 5, 2025.

This application was heard de novo by videoconference on December 2, 2025.

Only the Landlord's legal representative, Kristen Jarvis, attended the hearing.

As of 1:24pm, the Tenants were not present or represented at the hearing although properly served with notice of the hearing by the LTB.

Determinations:

1. At the hearing, the Landlord requested to withdraw their application after considering the Tenants submissions in their review request regarding the payment of the required compensation. After realizing there may be an issue about the required compensation, the Landlord elected to withdraw the current application and has already issued a new N12 Notice.
2. Considering that the application is before me de novo, I see no reason to deny the Landlord's request to withdraw the application on this basis and I consent to their request. There would be little value in proceeding on an application that is flawed for not paying the required compensation.

It is ordered that:

1. Order LTB-L-060929-25 issued on October 31, 2025 is replaced with the following order:
2. The Landlord's application is withdrawn, and the LTB's file is now closed.

February 13, 2026
Date Issued

Terri van Huisstede
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.