



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

File Number: LTB-L-045187-25-RV

In the matter of: 1111, 25 TINDALE CRT
HAMILTON ON L8K6C8

Between: Interrent Holdings Manager LP Landlord

And

Emad El-Guindy Tenant

Review Order

Interrent Holdings Manager LP (the 'Landlord') applied for an order to terminate the tenancy and evict Emad El-Guindy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-045187-25 issued on February 26, 2026.

On February 27, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Tenant's review request (RTR) claims that Board order issued February 26, 2026 (the "Order") contains a serious error.
2. In particular, the RTR claims the member erred in hearing the matter on its merits, notwithstanding the fact (i) the Tenant had filed an appeal of a prior interim order LTB-L-045187-25-IN (the "Interim Order") with the Divisional Court; and, (ii) a Certificate of Stay was issued which stayed the Interim Order.
3. For the reasons that follow, I disagree that the member erred. As identified by the member, courts have held that an appeal stays the order under appeal and not the entire proceeding. Here, the member reasoned it was not necessary to lift the stay in order to proceed with the hearing, as the member did not give effect to the Interim Order terms. In the other words, the member considered the Tenant's evidence and submission, even though the Tenant had failed to pay rent in accordance with the terms of the Interim Order requiring the Tenant to pay ongoing rent.
4. Alternatively, and in the event there is a stay that needed to be lifted, the member relied upon section 25 of the *Statutory Powers Procedure Act*, RSO 1990 (the "SPPA") which

provides that “*an appeal from a decision of a tribunal...operates as a stay in the matter unless...the tribunal or the court...orders otherwise*”. Given the noted circumstances, including the prejudice to the Landlord by a further delay and the member’s lack of reliance upon the Interim Order terms, I find the member exercised their discretion reasonably in lifting the stay.

5. As I am not satisfied that there is a serious error in the Order or the proceedings, the RTR is therefore denied.

It is ordered that:

1. The request to review order LTB-L-045187-25 issued on February 26, 2026 is denied. The order is confirmed and remains unchanged.

March 2, 2026
Date Issued

Peter Nicholson
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.