



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

Citation: Naqvi v Henry, 2026 ONLTB 36297

Date: 2026-05-04

File Number: LTB-L-071768-25-RV2

In the matter of: 9 Rustlewood Ave
Bethany ON L0A1A0

Between: Syed Minhal Abbas Naqvi Landlord

And

Anya Nicola Henry Tenant

Review Order

Syed Minhal Abbas Naqvi (the 'Landlord') applied for an order to terminate the tenancy and evict Anya Nicola Henry (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-071768-25 issued on March 26, 2026.

On April 27, 2026, the Tenant requested a review of the order. The review request was resolved by order LTB-L-071768-25-RV issued on April 28, 2026. The Tenant's review request was denied.

On May 1, 2026, the Landlord requested a review of the LTB-L-071768-25-RV.

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

Determinations:

1. The review request states that the Tenant has filed an appeal with Divisional Court, which operates as a stay of order LTB-L-071768-25-RV. The Landlord submits that, due to the Tenant's continued non-payment of rent, he is experiencing financial prejudice and requests that the stay be lifted.
2. Section 25(1) of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. s.22 ("SPPA"), provides that an appeal from a decision of a tribunal to a court or other appellate body operates as a stay in the matter unless,
 - (a) another Act or a regulation that applies to the proceeding expressly provides to the contrary; or

- (b) the tribunal or the court or other appellate body orders otherwise.
3. Section 210(1) of the *Residential Tenancies Act, 2006*, the (“Act”), provides that, any person affected by an order of the Board may appeal the order to the Divisional Court within 30 days after being given the order, but only on a question of law.
 4. In this case, the Tenant has exercised their right to appeal. As a result, the order is stayed until the Divisional Court directs otherwise.
 5. The Landlord has not identified any serious error in the order or in the proceedings. In any event, the stay arises by operation of a statute as a result of the Tenant’s appeal to the Divisional Court, and the Board has no authority to lift that stay. Accordingly, the request for review is denied.

It is ordered that:

1. The request to review order LTB-L-071768-25-RV issued on April 28, 2026 is denied. The order is confirmed and remains unchanged.

May 4, 2026
Date Issued

Mayra Sawicki
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.