



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

File Number: LTB-L-015911-23-RV2

In the matter of: Basement, 30 EVERGREEN CRES
THORNHILL ON L3T5V2

Between: Syed Hasnain Landlord

And

Jeffrey L Edwards Tenant

Review Order

Syed Hasnain (the 'Landlord') applied for an order to terminate the tenancy and evict Jeffrey L Edwards (the 'Tenant') 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 Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-015911-23 issued on January 20, 2025 ('the hearing order'), and amended on February 24, 2025 ('the amended hearing order').

On February 19, 2025, the Tenant requested a review of the hearing order and that the hearing order be stayed until the request to review the order is resolved.

On February 20, 2026, interim order LTB-L-015911-23-RV-IN was issued, staying the hearing order.

The Tenant's review request was resolved by order LTB-L-015911-23-RV ('the first review order') issued on March 2, 2026. The Tenant did not attend the review hearing, and the review was determined to be abandoned.

On March 16, 2026, the Tenant filed a request to review the review order. The Tenant alleges that he was not reasonably able to participate in the review hearing.

On March 18, 2026, interim order LTB-L-015911-23-RV-IN was issued, staying the first review order.

The second review request was heard in person at 15 Grosvenor Street, Toronto, Ontario.

Determinations:

1. At the review hearing the parties consented to the review of the review order and consented to denying the review of the hearing order. The parties agreed that the stay on the hearing order should be lifted on June 30, 2026. Essentially the parties agreed that the tenancy would terminate June 30, 2026.
2. At the hearing the Landlord raised concerns that the Tenant won't actually move out. The Tenant indicated that he will provide the Landlord with updates on the moving process and that he is willing to show the Landlord the progress he has made towards decluttering, packing, etc.
3. The Landlord's request for expedited enforcement of the hearing order is denied. Expedited evictions are reserved for only certain types of notices of termination, for example illegal acts, as outlined in section 84 of the *Residential Tenancies Act, 2006* ('the Act').
4. I note that while under section 81 of the Act, an order of the Board that evicts someone expires 6 months after the date the order takes effect unless it is filed with the appropriate Court Enforcement Office (Sheriff) before that time. However, the 6-month period in section 81 for a landlord to file an eviction order with the Sheriff does not continue to run while the order is subject to a stay as a result of an appeal to the Divisional Court or a proceeding at the Board such as a review request or set aside motion. See: *Elguindy v. Galaxy Real Estate Core Ontario LP*, 2024 ONSC 5911 and *Nickoloff v. Sniderman*, 2024 ONSC 6121.
5. The first review order required the Tenant to pay \$700.00 in costs for failing to attend the February 23, 2026, review hearing. The parties disagree about whether the Tenant should still have to pay that. As the parties consented to reviewing the review order it follows that the entire order should be canceled including the portion about costs. Additionally, had the parties not consenting to reviewing the review order, I would have granted the Tenant's review of that order. The Tenant provided compelling evidence that he was in the hospital on the date of the first review hearing and therefore could not reasonably participate in the proceeding. Upholding a cost order against the Tenant for his non-attendance is not reasonable in the circumstances.

It is ordered on consent that:

1. The request to review order LTB-L-015911-23 issued on January 20, 2025, and amended on February 24, 2025, is denied. The order is confirmed and remains unchanged.
2. The interim orders issued on March 18, 2026, and February 20, 2025, are cancelled. The stay of order LTB-L-015911-23 issued on January 20, 2025, and amended on February 24, 2025, is lifted on June 30, 2026.

It is ordered that:

3. Order LTB-L-015911-23-RV issued on March 2, 2026 is canceled.

May 11, 2026

Date Issued

Amanda Kovats

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.