



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

**File Number:** LTB-L-056709-25-RV

**In the matter of:** 116 BAYVIEW STATION ROAD  
OTTAWA ON K1Y2C6

**Between:** LUIGI PISANI Landlord  
MARY ZION  
ROBERT CLOUTIER  
CLAUDE NADEAU

**And**

BERNARD ROCHON Tenant  
SHAWN ROCHON

### **Review Order**

LUIGI PISANI, MARY ZION, ROBERT CLOUTIER and CLAUDE NADEAU (the 'Landlord') applied for an order to terminate the tenancy and evict BERNARD ROCHON and SHAWN ROCHON (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-056709-25 issued on September 5, 2025.

On October 30, 2025, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On October 31, 2025 interim order LTB-L-056709-25-RV-IN was issued, staying the order issued on September 5, 2025.

This application was heard by videoconference on November 26, 2025.

The Landlords Luigi Pisani and Mary Zion, and the Tenant Shawn Rochon attended the hearing.

### **Determinations:**

1. The Tenant filed a request for review, alleging that they were unable to reasonably participate in the original hearing. The Tenant acknowledged receiving the Notice of Hearing and being aware of the scheduled date but testified that they suffer from addiction and were ill at the time. The Tenant stated that they attempted to join the hearing at 11:00 a.m. but were advised the matter had already concluded.

2. The Tenant's witness, Jason Peters, testified that he spoke with the Tenant on the hearing date and described the Tenant as acting "like a zombie."
3. In *Q Res IV Operating CP Inc. v. Berezovska*, 2017 ONSC 5541, the Divisional Court held: "[I]f parties are not diligent in dealing with legal proceedings then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely, cost-effective and final orders."
4. Based on the submissions and evidence, I am not satisfied that the Tenant was unable to reasonably participate in the proceeding. The Tenant admitted knowing about the hearing and claimed to have logged in at 11:00 a.m., but the Board's records show no indication that the Tenant joined at any point during the scheduled block.
5. The Tenant provided no supporting evidence to establish that addiction caused their non-attendance. I assign little weight to Mr. Peters' testimony, as he was not physically present with the Tenant at the relevant time. The Tenant ought to have performed some due diligence in arranging for attendance at the hearing or sending a representative in his place.

**It is ordered that:**

1. The request to review order LTB-L-056709-25 issued on September 5, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 31, 2025 is cancelled. The stay of order LTB-L-056709-25 is lifted immediately. I make this finding as the Tenant submitted that he has funds saved up to clear the arrears. As a result, there is no reason to delay lifting of the stay.

**January 9, 2026**  
**Date Issued**

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**Brett Lockwood**  
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.