



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

File Number: LTB-L-006745-25-RV

In the matter of: 19, 83 CLEARVIEW HTS
YORK ON M6M2A3

Between: GURPAL SINGH Landlord

And

LATIFAH SCOTT Tenant
AISHA SCOTT

Review Order

GURPAL SINGH (the 'Landlord') applied for an order to terminate the tenancy and evict LATIFAH SCOTT and AISHA SCOTT (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

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-006745-25 issued on May 28, 2025.

On November 10, 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 November 12, 2025 interim order LTB-L-006745-25-RV-IN was issued, staying the order issued on May 28, 2025.

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

The Landlord's legal representative Pasquale Maiolo and the Tenant Aisha Scott attended the hearing.

Determinations:

1. The Tenant filed a Request to Review, alleging that she was unable to reasonably participate in the original hearing.

2. The Tenant testified that she was aware of two other applications involving the same tenancy, an L1 application (LTB-L-040460-25) and an L4 application (LTB-L-061235-25). She explained that she confused the files and was unaware that there was a separate L2 application.
3. It is noteworthy that the Tenant actively participated in the other two applications. In *King-Winton v. Doverhold Investments Ltd.*, 2008 CanLII 60708, the Divisional Court held that “being reasonably able to participate in the proceeding must be interpreted broadly; natural justice requires no less.” The Court also emphasized that a demonstrated intent to participate in the process is a relevant consideration.
4. In my view, a fundamental principle of natural justice is that a party must be given a meaningful opportunity to participate in a proceeding. Consistent with *King-Winton*, the Board interprets the grounds of being “not reasonably able to participate” broadly.
5. Based on the evidence and submissions, I am satisfied that the Tenant was not reasonably able to participate in the original hearing. The Tenant’s participation in the other two applications demonstrates her commitment to the process. Her explanation regarding the mix-up between files was credible and reasonable in the circumstances.

It is ordered that:

1. The request to review order LTB-L-006745-25 issued on May 28, 2025 is granted. The order is cancelled.
2. The interim order issued on November 12, 2025 is cancelled.
3. The matter shall be heard de novo.

January 7, 2026
Date Issued

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.

