



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

Citation: Lugus v Zhang, 2026 ONLTB 2297

Date: January 5, 2026

File Number: LTB-T-003972-23-RV

In the matter of: 430, 47 Lower River Street
Toronto ON M5A0G1

Between: Liisa Lugus Tenant

and

Cheng Hua Zhang Landlord

REVIEW ORDER

Procedural History

Liisa Lugus (the 'Tenant') applied in a T1/T2/T6 application seeking an order determining that Cheng Hua Zhang (the 'Landlord'):

- collected or retained money illegally;
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household; and
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on March 21, April 21, and May 5, 2023. The Tenant attended the hearings along with the Landlord and the Landlord's son-in-law Victor Siu who provided interpretation services for the Landlord.

The applications were resolved by Member S. Brar by order LTB-T-003972-23 issued on November 27, 2023 (the 'Hearing Order'), in which the applications were determined to be an abuse of process and were consequently dismissed.

On July 16, 2024, the Tenant requested a review of the Hearing Order, alleging there were serious errors contained in the Hearing Order, and that she was not reasonably able to participate in the proceeding.

Along with the request to review, the Tenant also filed a request to extend time, which was granted by Member A. Kovats on August 1, 2024.

The review was directed to a hearing, which was scheduled for October 9, 2024. On September 16, 2024, the Tenant's legal representative filed a request for the hearing format to be changed from virtual to written.

By interim order LTB-T-003972-23-RV-IN-2 issued October 4, 2024 by Vice Chair S. Henry, the Tenant's request for a written review hearing was granted to accommodate her disability and needs.

Determinations:

1. Interim Order LTB-T-003972-23-RV-IN-2 provided a deadline of October 11, 2024 for any party to object to holding the review hearing in writing.
2. On October 9, 2024, the Landlord's daughter emailed the LTB objecting to the written review hearing format. She advised that English is not the Landlord's main or daily use language. The Landlord can only read simple words but cannot fully read or understand English. A virtual hearing where an interpreter could be used to translate the questions and answers was requested.
3. It is unnecessary to consider the Landlord's objection to the written hearing format because the review must be denied for the Tenant's failure to serve her review submissions in time.
4. Interim Order LTB-T-003972-23-RV-IN-2 ordered at paragraph 4: *"On or before October 18, 2024, the Tenant shall serve on the Landlord and file with the LTB the Tenant's evidence and submissions in support of the review request, as well as a certificate of service"* (emphasis mine).
5. The Board's file indicates the Tenant's written review submissions were uploaded to the portal at 4:28pm on October 24, 2024 by the Tenant's legal representative.
6. The Tenant is represented by a lawyer. The Tenant's lawyer made no request to extend any of the deadlines imposed by the Interim Order. There was no explanation whatsoever why the Tenant's lawyer failed to serve the Tenant's review submissions to the LTB by October 18, 2024. The delay was not insignificant as it was 6 days late.
7. Although there was a certificate of service (also uploaded late on October 24, 2024, instead of by October 18, 2024) that the Tenant's materials had been served on the Landlord on October 17, 2024, this does not mitigate the late service of the materials upon the Board.
8. I find that the Interim Order was breached without explanation. Paragraph 11 of the Interim Order states: *"Pursuant to Rule 19.2 of the LTB's Rules of Procedure, unless otherwise ordered, a party may not rely on evidence or submissions that were not filed in accordance with any of paragraphs 2 to 10, as applicable."*

9. Since I am unable to consider the late-filed submissions as per paragraph 11 of the Interim Order, the Tenant's request for review cannot be adjudicated.

It is ordered that:

10. The request to review order LTB-T-003972-23 issued on November 27, 2023 is denied. The order is confirmed that remains unchanged.

January 5, 2026
Date Issued

Michelle Tan
Vice Chair, 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.