



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

Citation: Parkdale Activity Recreation Centre (PARC) v Grey, 2026 ONLTB 2355

Date: 2026-01-05

File Number: LTB-L-023381-25-RV2

In the matter of: 8, 28 BEATY AVE
TORONTO ON M6K3B4

Between: Parkdale Activity Recreation Centre (PARC) Landlord

And

Delores Grey Tenant

Second Review Order

Parkdale Activity Recreation Centre (PARC) (the 'Landlord') applied for an order to terminate the tenancy and evict Delores Grey (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 Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex.
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was originally resolved by order LTB-L-023381-25 issued on September 8, 2025.

On September 9, 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 September 10, 2025 interim order LTB-L-023381-25-RV-IN was issued, staying the order issued on September 8, 2025. The Tenant alleged that they were incarcerated and not able to attend the original hearing that took place on July 23, 2025.

The first review request was heard by videoconference on October 16, 2025. Only the Landlord's legal representative was present at the review hearing. Accordingly, on October 27, 2025, the

Board issued order LTB-L-023381-25-RV which dismissed the Tenant's first review request on the basis that the Tenant abandoned their review request.

On October 27, 2025, the Tenant requested a review of the review order. The "Second" review request.

On October 28, 2025 interim order LTB-L-023381-25-RV2-IN was issued, staying the review order issued on October 27, 2025. The Tenant alleged that they were not reasonably able to participate in the review hearing on October 16, 2025 because they were experiencing health related issues.

This second review was heard by videoconference on November 24, 2025.

The Landlord's agent, Oona Padgham, the Landlord's legal representative, Shelby Whittick, and the Tenant attended the hearing. The Tenant spoke with Tenant Duty Counsel on the hearing date. The Landlord also had four witnesses available on standby if the review was granted.

Determinations:

1. On the basis of the submissions made in the request and based on the evidence at the hearing, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding or that a serious error occurred in the proceedings.
2. While I may accept that the Tenant was experiencing issues relating to her mental health on the review hearing date of October 16, 2025, I am unable to accept that she was not able to attend the hearing.
3. The Tenant's explanation on why they did not attend the review hearing on October 16, 2025 was vague. They submit they were incapacitated and could not attend the hearing. Their doctor's note does not support her being incapacitated. It does not state the time she attended the doctor's office and does not address the condition which may have prevented her attendance when the hearing took place at 9:42am. The Tenant was given an opportunity to submit evidence, including the doctor's note, and the Tenant refused to submit it, allow the contents to be shared or speak to it at the hearing.
4. When questioned about the doctor's note, the Tenant gave vague answers and refused to answer questions in cross examination about her absence repeatedly stating, "I don't know" and "not sure". Additionally, the Tenant submits, that although the review order states that a representative from the legal clinic attended after the review hearing had taken place in her absence at 9:53am, the Tenant states that she did not give them authorization or consent to speak or act on her behalf and they did so without her permission.
5. The Divisional Court has affirmed that, except in exigent circumstances, parties to an application must follow the Board's process to reschedule or adjourn a Board hearing: *Lacroix v. Central-McKinlay International Ltd.*, [2022 ONSC 2807](#) (Div. Ct.) (CanLII); *Wang v. Oloo*, [2023 ONSC 1028](#) (Div. Ct.) (CanLII).

6. In the present case, it is not clear that exigent circumstances existed that would prevent the Tenant from attending the review hearing. The Tenant's evidence contains too vague of an explanation as to the nature of the medical emergency requiring the Tenant to miss the scheduled review hearing.
7. Additionally, I draw a negative inference from her assertion that she did not authorize anyone from the legal clinic to attend the review hearing to speak on her behalf, although she admits that she was aware of the hearing date and the requirement to attend or to send someone in their stead to request an adjournment of the review hearing on her behalf.
8. Following the Divisional Court's reasons in *Lacroix v. Central-McKinlay International Ltd.* and *Wang v. Oloo*, I find that the Tenant has not sufficiently explained why they were not able to attend the review hearing and therefore their review request must be denied.
9. Having denied the request to review the review order, I need not determine whether the Tenant was reasonably able to participate in the original hearing that took place on July 23, 2025.

It is ordered that:

1. The request to review the review order LTB-L-023381-25-RV issued on October 27, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 28, 2025 is cancelled. The stay of order LTB-L-023381-25-RV is lifted immediately.

January 5, 2026
Date Issued

Terri van Huisstede
Member, Landlord and Tenant Board

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