



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

**File Number:** LTB-L-065595-24-RV

**In the matter of:** 150 BONAVENTURE DR  
HAMILTON ON L9C4P9

**Between:** Paramjit K Singh Landlord  
Maghar Singh

**And**

MELISSA S MARTORANO Tenant

### **Review Order**

Paramjit K Singh and Maghar Singh (the 'Landlord') applied for an order to terminate the tenancy and evict MELISSA S MARTORANO (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-065595-24 issued on October 29, 2025.

On November 28, 2025, the Landlord requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 5, 2025 interim order LTB-L-065595-24-RV-IN was issued, staying the order issued on October 29, 2025.

This application was heard by videoconference on December 23, 2025.

The Landlord, Paramjit Singh and the Tenant, Melissa Martorano attended the hearing.

### **Determinations:**

1. The Landlord alleged in their request to review that they were not reasonably able to participate in the hearing on October 20, 2025 and therefore requested a review of the order LTB-L-065595-24 issued on October 29, 2025.
2. The Landlord testified that she was aware about the hearing and was planning on attending, however the morning of the hearing she suffered an anxiety attack and nervous breakdown knowing she had to face the Tenant. The Landlord stated that she was feeling very unwell and did not sign into the hearing and that this has been a very stressful process for her. She did not sign into the hearing at any point, as she was feeling unwell. She testified that she was under the impression that she would automatically get a

new hearing date. The Landlord is requesting that the Board grant the request to review so that she can obtain an order for the Tenant to pay the arrears.

3. Upon cross examination, the Landlord testified that no one else was able to call in for her. She stated that no one else was aware that there was a hearing on that date, other than her. The Landlord stated that she did not have any medical documents to prove that she was not feeling well.
4. The Tenant requested that the Board dismiss the Landlord's review as the Landlord did not participate, despite knowing the importance of the hearing. Furthermore, the Landlord did not provide any documentation to support that she was not feeling well the morning of the hearing, and therefore she does not know that this is the real reason the Landlord did not attend.

### Analysis

5. On the basis of the evidence and submissions before me, I am not satisfied, on a balance of probabilities, that the Landlord was not reasonably able to participate in the hearing on October 20, 2025.
6. Indeed, the Landlord was aware of the hearing date and stated that they intended to proceed. I heard the Landlord's testimony that they had an anxiety attack on the day of the hearing and that is why they were unable to attend, however the Landlord did not submit medicals notes for the Board to consider, nor did they provide an adequate description of their diagnosis, or clarify the effect of any such a diagnosis on their ability to participate in the hearing, in the opinion of the medical professional (by analogy see *Wang v. Oloo*, 2023 ONSC 1028).
7. I am satisfied that the Landlord knew about the proceeding on October 20, 2025 and therefore find that it is more likely than not that the Landlord did not participate in the proceedings as a result of their own negligence. I heard the Landlord's testimony that she is the only one that manages the property; however, the other Landlord did not attend the review hearing to offer submissions as to why they were not in attendance at the hearing on October 20, 2025. The Landlord stated that they thought that their hearing would automatically be rescheduled and therefore did not contact the Board, however a lack of attention to legal proceedings does not entitle a party to a new hearing.
8. In *Q Res IV Operating CP Inc. v. Berezovska* 2017 ONSC 5541, the Court states the following:
 

Lack of diligence in dealing with court proceedings is a reason for refusing to set aside an order where a party has failed to appear. In other words, it was not an error in law for the Review Board to find that lack of diligence constituted a reason not to grant the landlord a rehearing. If 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. [Emphasis Added]
9. For the reasons outlined above, the request to review is denied. I find that the Landlord was reasonably able to participate in the hearing.

**It is ordered that:**

1. The request to review order LTB-L-065595-24 issued on October 29, 2025, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on December 5, 2025, is cancelled.

**January 7, 2026**  
**Date Issued**

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**Nathalia Debski**  
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.