



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

Citation: Mansour v Helmy, 2025 ONLTB 96931

Date: 2026-01-08

File Number: LTB-T-064708-25-RV-IN2

In the matter of: 912, 370 DIXON RD
ETOBICOKE ON M9R1T2

Between: Adam Mansour Tenant

And

Mahmoud Helmy Landlord

Review Order

Adam Mansour (the 'Tenant') applied for an order determining that Mahmoud Helmy (the 'Landlord') :

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was resolved by order LTB-T-064708-25 issued on September 18, 2025. The hearing on August 28, 2025, was attended by the Landlord, the Landlord's Legal Representative, Liam Walker, and the Tenant's Agent, Sara Gates. The application was dismissed when the adjudicator determined that Ms. Gates was not qualified to present evidence on behalf of the Tenant, and the Tenant could not be reached to attend the hearing.

On October 11, 2025, the Tenant requested a review of the order.

On October 20, 2025 interim order LTB-T-064708-25-RV-IN was issued, staying the order issued on September 18, 2025

This application was heard by videoconference on November 13, 2025.

The Landlord, the Landlord's Representative, Liam Walker and the Tenant attended the hearing.

Determinations:

1. The Tenant filed their application with the LTB on August 6, 2025.
2. On August 8, 2025, the Tenant submitted unavailable dates to the LTB, however they were not received by the LTB until August 12, 2025. (Evidence ID 6178672). The unavailable dates included travel dates in which the Tenant would not be able to attend due to family commitments in the Middle East.
3. Also on August 8, 2025, an interim order (LTB-T-064708-25-IN) was issued declaring that the matter should be heard on an expedited basis due to an alleged lockout.
4. A notice of hearing for August 28, 2025, was sent to the parties on August 12, 2025.
5. At the hearing on August 28, 2025, the Tenant's Agent, Sara Gates, attempted to contact the Tenant, however he was unresponsive.
6. Since the Tenant was not present at the hearing, the Adjudicator determined that the matter could not proceed and dismissed the application.
7. The Tenant submitted that he did intend to participate, however, because the LTB did not consider the unavailable dates sent to the LTB before the Notice of hearing was issued, and the nature of the financial investment tied to his travel plans, he was unable to attend the hearing.
8. The Tenant's itinerary, after time zone changes were considered, showed that the Tenant was in an airplane on the way to Cairo, Egypt.
9. The Landlord stated that the Tenant had the opportunity to attend the hearing and could have attended by either phone or internet.

Analysis

10. *King-Winton v. Doverhold Investments Ltd.*, [2008] O.J. No. 4697 (Ont. Div. Ct.), the Divisional Court stated that, "being reasonably able to participate in the proceeding must be interpreted broadly, natural justice requires no less".
11. Based on the information before me, the Tenant was airborne at the time of the hearing. It is not reasonable to expect that the Tenant would be able to participate in the hearing.
12. The Tenant did assign an agent to act on their behalf, which also shows a positive act of diligence in the intent to participate in the hearing, despite not being available.
13. The Tenant also had submitted unavailable dates to the LTB prior to the Notice of Hearing being issued. It is not the fault of the Tenant that the LTB failed to acknowledge those unavailable dates.
14. For these reasons, I am satisfied that the Tenant was not reasonable able to participate in the hearing. Therefore, the Tenant's request to have this matter reviewed because they were not reasonably able to participate in the hearing is granted.

Adjournment

15. The Tenant is no longer seeking possession of the rental unit since they reside elsewhere. Therefore, this matter is not considered urgent.
16. The parties agreed to have the *de novo* hearing adjourned to a later date. In consideration of the hearing schedule on November 13, 2025, I am satisfied that this request is reasonable.

It is ordered that:

1. The request to review order LTB-T-064708-25 issued on September 18, 2025, is granted. A *de novo* hearing of this application shall proceed.
2. The *de novo* hearing shall be adjourned to a later date.
3. I am not seized of this matter.

January 8, 2026
Date Issued

Robert Brown
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.