



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

Citation: Jonkhans v Dewan, 2026 ONLTB 4559

Date: 2026-01-14

File Number: LTB-L-080596-25-RV

In the matter of: 152 OXFORD STREET WEST
LONDON ON N6H1S1

Between: Rob Jonkhans Landlords
Catherine Jonkhans

And

Joe Dewan Tenants
Pete Young

Review Order

Rob Jonkhans and Catherine Jonkhans (the 'Landlords') applied for an order to terminate the tenancy and evict Joe Dewan and Pete Young (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-080596-25 issued on December 10, 2025. Only the Landlord, Catherine Jonkhans, attended the original hearing on December 3, 2025.

On December 12, 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 December 15, 2025, interim order LTB-L-080596-25-RV-IN was issued, staying the order issued on December 10, 2025.

This review was heard by videoconference on January 7, 2026.

The Landlord, Catherine Jonkhans, and the Tenant, Joe Dewan, attended the hearing.

Determinations:

1. For the following reasons, the Tenant's request to review order LTB-L-080596-25 issued on December 10, 2025 is denied.
2. The Tenant testified that he only received the Notice of Hearing on December 5, 2025, which was two days after the hearing. He confirmed that he has had no issues with his mailbox, which is a locked Canada Post mailbox. He stated that he checks his mail "*every couple of weeks*".

3. The Board's file confirms that the Notice of Hearing and application were mailed to Tenant on October 31, 2025 which means they were deemed served by the Board on November 5, 2025. That mail was not returned to the Board. Given the Tenant's testimony that there were no issues with his mailbox and that he checked his mail every couple of weeks, I find it more likely than not that the Tenant received the Notice of Hearing, especially since the period from when the Notice of Hearing was deemed served to the hearing date is one month. There is no evidence before me that the Tenant was unable to check his mail from November 5 to December 3, 2025.
4. There is no evidence before me that the Tenant was not aware that he was in arrears of rent or that the Landlord was attempting to contact him regarding same. At the very least, he should have known or ought to have known that it would be prudent to check his mail regularly or contact the Landlord. In my view, he missed the hearing because of his own lack of due diligence in deciding not to respond to the Landlord or check his mail regularly. That is different from not being reasonably able to participate.
5. Parties are required to act with diligence in proceedings before the LTB. If a party fails to attend a hearing because of their own lack of diligence, they cannot then demand that the LTB waste its resources to hear the matter again. "To allow this would undermine the ability of the administration of justice to deliver timely, cost-effective and final orders": *Q Res IV Operating GP Inc. v. Berezovs'ka*, para. 8.
6. On the basis of the evidence before me, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding. Therefore, the Tenant's request to review order LTB-L-080596-25 issued on December 10, 2025 is denied.

Lifting the stay

7. The Tenant stated that his only source of income is OW and requested a further four months to find a new place to live.
8. The Landlord requested that the stay be lifted immediately. She stated that the Tenant has made multiple promises to pay rent but never does. This causes financial hardship for the Landlords.
9. In the circumstances, the stay is lifted immediately.

It is ordered that:

1. The request to review order LTB-L-080596-25 issued on December 10, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on December 15, 2025 is cancelled. The stay of order LTB-L-080596-25 is lifted immediately.

January 14, 2026
Date Issued

Karen Gonçalves
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.