



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

Citation: Leontis v Howatt, 2026 ONLTB 8099

Date: 2026-01-28

File Number: LTB-L-059126-23-RV

In the matter of: 225 BEATRICE ST
TORONTO ON M6G3E9

Between: Hartina Leontis Landlords
Eleftherios Leontis

And

Brittany Howatt Tenant

Review Order

Hartina Leontis and Eleftherios Leontis (the 'Landlords') applied for an order to terminate the tenancy and evict Brittany Howatt (the 'Tenant') because:

- the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year.

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

This application was resolved by order LTB-L-059126-23 issued on December 17, 2025.

On December 19, 2025, the Tenant's Representative requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 18, 2025 interim order LTB-L-059126-23-RV-IN was issued, staying the order issued on December 17, 2025.

This application was heard by videoconference on January 15, 2026.

The Landlords, the Landlords' legal representative, Christina Nastas, the Tenant, and the Tenant's legal representative, attended the hearing.

Determinations:

1. The Tenant and the Tenant's legal representative provided testimony that was internally inconsistent and inconsistent with each other regarding who received or didn't receive notices and why the hearing on December 10, 2025 was not attended. These significant inconsistencies diminished the reliability of the testimony.
2. In addition to the inconsistent testimony, I find the Tenant and their legal representative did not take reasonable steps to participate in the proceeding. This L2 application was previously scheduled for December 4, 2025. On that date the Tenant's legal representative requested and received an adjournment because they were caring for a hospitalized family member. The parties agreed to adjourn the hearing to December 10, 2025 and the seized Member confirmed the matter would be scheduled for December 10, 2025. In the same conversation the parties agreed, and the Member confirmed, that this application and the Landlord's L1 application (LTB-L-080606-25) would be heard together on December 10. This was stated orally at the hearing and was documented in the adjournment sheet which the parties received.
3. On December 8, 2025 the seized Member issued an endorsement stating that the L1 application was discontinued and only the L2 would proceed on December 10, 2025. An L1 order was also issued for the discontinuance. The Notice of Hearing for December 10 was also issued on December 8, 2025.
4. The Tenant received the L1 discontinuance order and the Notice of Hearing but assumed the hearing was cancelled because of the discontinuance. The Tenant says they were unaware of the agreement to hear both matters on December 10 because they were not present for the prior hearing.
5. The Tenant's legal representative says they were aware of the adjournment sheet which stated 'please schedule both the L1 and the L2 before me at 1pm on December 10', but did not receive the December 8 documents because they were sent to an old email address which is not regularly used. The adjournment sheet did not contain a hearing room or meeting link because one had not yet been assigned. The Tenant's representative did not make reasonable efforts to confirm the status of the December 10 hearing. Rather, they assumed the hearing had not been scheduled. They did not contact the Board or the Landlords to request the hearing information or confirmation of cancellation. Their communication with their client was not thorough enough to obtain the details of the relevant communications from the Board. All documents were available to all parties in the Tribunals Ontario Portal. While it is not normally an expectation that parties check TOP for new documents, where a party is aware that they have not received an expected document from the Board, checking TOP would be a reasonable step to take.
6. On the basis of the submissions made in the request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-059126-23 issued on December 17, 2025 is denied. The order is confirmed and remains unchanged.

2. The interim order issued on December 18, 2025 is cancelled. The stay of order LTB-L-059126-23 is lifted immediately.

January 28, 2026

Date Issued

Dawn Carr

Member, 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.