



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

Citation: Skeba v Hilger, 2026 ONLTB 14499

Date: 2026-02-18

File Number: LTB-L-082276-25-RV

In the matter of: 16 CARRINGTON COURT
HAMILTON ON L9G1R1

Between: Nathan Skeba Landlord

And

Linc Hilger Tenant

Review Order

Nathan Skeba (the 'Landlord') applied for an order to terminate the tenancy and evict Linc Hilger (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-082276-25 issued on December 17, 2025. Only the Landlord attended at the original hearing on December 11, 2025.

On January 16, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 19, 2026, interim order LTB-L-082276-25-RV-IN was issued, staying the order issued on December 11, 2025.

This review was heard by videoconference on February 10, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. For the following reasons, the Tenant's request to review order LTB-L-082276-25 issued on December 17, 2025 is denied.
2. The Tenant admitted that he received the Notice of Hearing and was aware of the hearing. However, he had started a very demanding job in September 2025 and did not want to jeopardize it by requesting time off work because he was still in his probationary employment period.
3. The Tenant stated that he also has mental health issues which makes it harder to focus on multiple issues at a time. Since his focus was on his job and earning income to pay the arrears, he disregarded the hearing.

4. 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. In this case, the Tenant knew about the hearing but chose not to attend. That is very different from not reasonably being able to participate in the hearing. He provided no explanation as to why he could not have sent a representative to the hearing to act on his behalf.
5. 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 Tenants request to review order LTB-L-082276-25 issued on December 17, 2025 is denied.

Lifting the stay

6. The Tenant requested that lifting the stay of order LTB-L-082276-25 issued on December 17, 2025 be lifted until May or June to allow him to save first and last months’ rent as well as moving costs. He said moving will be difficult because his work is so busy. He has lived in the unit for ten years.
7. The Landlord requested that the stay be lifted as soon as possible. He said the Tenant has been in arrears of rent since July 2025 and he while he has been very accommodating in working with the Tenant about paying arrears and ongoing rent, he can no longer afford to do so.
8. In the circumstances, I find it reasonable to lift the stay on February 28, 2026. This provides the Tenant with a little extra time to organize moving, while minimizing prejudice to the Landlord.

It is ordered that:

1. The request to review order LTB-L-082276-25 issued on December 17, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on January 19, 2026 is cancelled. The stay of order LTB-L-082276-25 is lifted on February 28, 2026.

February 18, 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.