



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

Citation: 390 Dufferin GP Inc. v Yalda, 2026 ONLTB 10761

Date: 2026-02-17

File Number: LTB-L-093817-25-RV

In the matter of: B523, 410 DUFFERIN ST
TORONTO ON M6K0H1

Between: 390 Dufferin GP Inc.

Landlord

And

Joliana Yalda
Thikra Yousif

Tenant

Review Order

390 Dufferin GP Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Joliana Yalda and Thikra Yousif (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-093817-25 issued on February 5, 2026.

On February 14, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Tenant alleges that they were not reasonably able to participate in the proceeding.
2. The Tenant's request to review states: "Our lawyer was supposed to be at the hearing on January 27th, to make other arrangements, but he apparently "forgot" and went on vacation without arranging for a colleague to go in his place."
3. The Tenant does not identify their purported lawyer. The Tenant does not explain what "other arrangements" their lawyer was supposed to make at the hearing. The Tenant does not state that their lawyer told them not to go to the hearing and does not explain why they did not attend the hearing.
4. Given the lack of details provided, I find the Tenant's explanation for not attending the hearing to be wholly implausible. Moreover, regardless of how implausible the explanation, it still does not explain why the Tenant did not attend the hearing as no

lawyer would have told their client not to attend a hearing where their client faced eviction.

5. As a result, on the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Tenant was not reasonably able to participate in the proceeding.
6. While I am aware of *King-Winton v. Doverhold Investments Ltd.*, 2008 CanLII 60708 (ON SCDC) and the requirement to interpret “reasonably able to participate” broadly, there is no credible basis for finding that the Tenant was not reasonably able to participate in these proceedings.

It is ordered that:

1. The request to review order LTB-L-093817-25 issued on February 5, 2026 is denied. The order is confirmed and remains unchanged.

February 17, 2026
Date Issued

Richard Ferriss
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.