



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

File Number: LTB-T-062359-24-RV

In the matter of: 114, 2822 SANDALWOOD DR
OTTAWA ON K1V2T7

Between: Alejandro Lucas Fiszman Tenant

And

Hazelview Landlord

Review Order

Alejandro Lucas Fiszman (the 'Tenant') applied for an order determining that Hazelview (the 'Landlord') withheld or interfered with their vital services or care services and meals in a care home.

This application was resolved by order LTB-T-062359-24 issued on February 13, 2026.

On February 13, 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's review request (RTR) is based on the grounds of being not reasonably able to participate in the proceedings and of serious error.
2. On the basis of the submissions made, I am not satisfied the Tenant was not reasonably able to participate in the proceeding, or that a serious error occurred.
3. The RTR submits the Tenant was not in attendance at the hearing due to "*managing urgent, time-sensitive professional obligations that could not be rescheduled*". The RTR, in this regard, identifies 4 work commitments undertaken by the Tenant on the day of hearing.
4. While I am mindful that being reasonably able to participate must be interpreted broadly, the Tenant appears to have been aware of the hearing but chose not to attend. The RTR fails to outline when the Tenant became aware of the proceeding and/or what steps or efforts were undertaken by the Tenant to attend the hearing. The Tenant did not send a representative to the hearing to explain the Tenant's non-attendance. In this regard, a representative could have been a legal representative, a friend or a family member.

Further, and as acknowledged in the RTR, the Tenant did not file a request to reschedule the proceeding in advance of the hearing date. Based upon the limited information provided, I am thus not satisfied the Tenant was not reasonably able to participate in the proceeding.

5. The Tenant additionally submits the Board erred in dismissing the Tenant's application as abandoned as the order description purportedly mischaracterizes the Tenant's application "*as solely about vital services, ignoring my accepted amendments adding claims....*". As noted, the Tenant was admittedly not in attendance at the hearing to pursue their application, and accordingly, the matter was not heard on its merits and was dismissed as abandoned. While it is clear the Tenant disagrees with the member's dismissal, I am not satisfied the RTR outlines a serious error made by the member. The RTR must therefore be denied.

It is ordered that:

1. The request to review order LTB-T-062359-24 issued on February 13, 2026 is denied. The order is confirmed and remains unchanged.

February 18, 2026
Date Issued

Peter Nicholson
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.