



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

File Number: LTB-T-025084-25-RV

In the matter of: 50 DUNDALK CRES
BRAMPTON ON L6Z2V1

Between: Claudia Peterkin Tenant

And

Rayon Moodie Landlord

Review Order

Claudia Peterkin (the 'Tenant') applied for an order determining that Rayon Moodie (the 'Landlord') :

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.

This application was resolved by order LTB-T-025084-25 issued on January 20, 2026

On February 17, 2026, the Landlord requested a review of the order.

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

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied the Landlord was not reasonably able to participate in the proceeding or that there is a serious error in the order.
2. In *Wang v. Oloo*, 2023 ONSC 1028 (Div. Ct.), the Divisional Court affirmed at paragraph 10 that a party who seeks to adjourn a scheduled Board proceeding must give “sufficient information to enable the court or tribunal to exercise its own judgment as to whether the adjournment should be granted.” With respect to medical issues that could interfere with one’s ability to participate in the Board proceeding, the Court stated that the party should “at a minimum, describe the diagnosis, the effect of the patient’s condition on their ability to attend and participate in the hearing, and a statement as to when... the patient will be well enough to attend court and participate as required.”

3. I find the principle enunciated in *Wang v. Oloo* – the need to provide sufficient information to determine an adjournment request – also applies to review requests where a party submits they were not reasonably able to participate in the Board proceeding, pursuant to subsection 209(2) of the *Residential Tenancies Act, 2006*. The requirement to give sufficient information is consistent with Rule 26.8e of the Board's Rules of Procedure.
4. In the present case, the Landlord states he returned from Jamaica on January 5, 2026, one week before the January 12, 2026 Board hearing. The Landlord submits he was ill upon his return with diarrhea and a high temperature and that this persisted over the hearing date. The request provides no reason as to why the Landlord could not have attended the virtual case conference, even if briefly, to request an adjournment. The request is not accompanied by any medical documentation showing the Landlord was suffering from an illness that left him unable to use a telephone on the January 12, 2026 case conference date to call in.
5. Following the Divisional Court's reasons in *Wang v. Oloo*, I find the Landlord's explanation for failing to attend the January 12, 2026 Board proceeding is inadequate. The Landlord does not give sufficient information to determine that they were not reasonably able to participate in the proceeding because of illness or any other reason. For these reasons, the Landlord's request for review based on not being reasonably able to participate is denied.
6. The remainder of the request for review is based on the Landlord's disagreement with the Member's findings. The opportunity to challenge the Tenant's evidence was at the case conference stage and not the review stage of the proceedings. It was not a serious error for the Member to not consider evidence and submissions not before the Board. As such, the order does not contain a serious error.
7. For the reasons provided, I am not convinced the Landlord has established they were not reasonably able to participate in the proceedings or that a serious error exists in the order or that a serious error occurred during the proceedings. The Landlord's request is accordingly denied.

It is ordered that:

1. The request to review order LTB-T-025084-25 issued on January 20, 2026 is denied. The order is confirmed and remains unchanged.

February 18, 2026
Date Issued

John Cashmore
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.