



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

File Number: LTB-L-096713-25-SA2-RV

In the matter of: 213, 369 DUNDAS ST W
NAPANEE ON K7R2B5

Between: Prince Edward Lennox & Addington Housing Corporation Landlord

And

Cindy Ackley Tenant

Review Order

Prince Edward Lennox & Addington Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Cindy Ackley (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on September 22, 2025 with respect to application LTB-L-062121-25-SA.

This application was resolved by ex-parte order LTB-L-096713-25 issued on November 24, 2025.

The Tenant filed a motion to set aside and the motion was resolved by Order LTB-L-096713-25-SA issued on January 6, 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 16, 2026 interim order LTB-L-096713-25-SA-RV-IN was issued, staying the order issued on January 6, 2026

This review request was heard by videoconference on February 3, 2026.

The Landlord's Agent, Jennifer Carefoot and the Tenant attended the hearing.

Determinations:

Review:

1. The Tenant stated she did not attend the hearing held on December 23, 2025 because she had returned from the hospital. At the hearing on December 23, 2025, the Landlord's Agent told the member the Tenant had called them on December 19, 2025, to inform them she was in the hospital. This information is noted in the Order issued on January 6, 2026. The Tenant testified she was home on the day of the hearing but did not attend because

she suffers from mental health, and she was not on her medication. The Tenant provided some information about the nature of her medical history describing problem with addiction. The Landlord is aware of the Tenant's disability and provides some supports.

2. On a balance of probabilities, I am satisfied that the Tenant was not reasonably able to participate in the proceeding on December 23, 2025 likely as a result of impairments stemming from her medical condition. To deny the review considerably prejudice the Tenant given her disability and the significant consequence of eviction.
3. The Tenant's request to review the Order issued on January 6, 2025 is granted.

Motion:

4. I considered the Tenant's motion to set aside LTB-L-0996713-25 issued on November 24, 2025. The motion is granted.
5. The ex-parte order issued on November 24, 2025 was issued without a hearing. The Tenant testified she doesn't know why the Board issued an order terminating the tenancy. The Landlord's Agent stated the Landlord received complaints from other tenants, and they met with the Tenant to discuss a noise disturbance where she was seen kicking a door of another tenant's unit repeatedly and causing a noise disturbance.
6. I find that although the ex-parte order issued on November 24, 2025, identifies the grounds that gave rise to the application under section 78 of the Act, it does not contain any details such as a date of a specific incident or any other information that would inform the Tenant how, when and what incident or conduct took place to explain eviction. I find the exparte order issued on November 24, 2025, contains a serious error. As such, the Tenant's motion must be granted. It's unfair to terminate the tenancy when the order does not explain why the tenancy is terminated.

It is ordered that:

1. The request to review order LTB-L-096713-25-SA issued on January 6, 2026, is granted. The order is cancelled and cannot be enforced.
2. The Tenant's motion to set aside Order LTB-L-096713-25 is granted. Order LTB-L-096713-25 issued on November 24, 2025, is cancelled and cannot be enforced.
3. Order LTB-L-062121-25-SA issued on September 22, 2025, remains in effect.

February 24, 2026
Date Issued

Sandra Macchione
Vice Chair, 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.