



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

Citation: Alabi v Cormier, 2026 ONLTB 16145

Date: 2026-02-25

File Number: LTB-L-101356-25-SA-RV

In the matter of: 200 HELLEMS AVE
WELLAND ON L3B3B7

Between: Adekunle Alabi Landlords
Dorcas Alabi

And

Christian Cormier Tenants
Jessica Muisse

Review Order

Adekunle Alabi and Dorcas Alabi (the 'Landlords') applied for an order to terminate the tenancy and evict Christian Cormier and Jessica Muisse (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on October 28, 2025 with respect to application LTB-L-049703-25-RV.

This application was resolved by order LTB-L-101356-25 issued on December 8, 2025.

The Tenants filed a motion to set aside order LTB-L-101356-25 issued on December 8, 2025.

That motion was resolved in order LTB-L-101356-25-SA, issued on January 21, 2026.

On January 21, 2026, the Tenants filed a request to review the set aside order issued on January 21, 2026, and requested that the order be stayed until the request to review the order is resolved.

On January 22, 2026, interim order LTB-L-101356-25-SA-RV-IN was issued, staying the order issued on January 21, 2026.

This request was heard by videoconference on February 17, 2026.

Only the Landlord D. Alabi, and the Landlords' legal representative, S. Murtadha, attended the hearing. The Landlords' witness, P. Tortusa, also attended the hearing. I was satisfied that the Tenants had received the Notice of Hearing and there was no request to adjourn before me. Based on this, I proceeded to hear the review at 1:38 p.m.

Determinations:

1. The Landlords originally filed an application for rent arrears. The Tenants did not attend the hearing, and a standard order was issued.
2. The Tenants requested a review of that order alleging that they were not reasonably able to participate in the hearing. After a review hearing, the Landlords consented to cancel the original order and replace it with a payment plan to pay off almost \$20,000.00 of arrears.
3. The Tenants breached the review order a few weeks after the hearing, and an eviction order LTB-L-101356-25 was issued on December 8, 2025.
4. The Tenants filed a set aside motion. The Tenants did not attend their set aside motion hearing on January 14, 2026, their motion was denied, and the stay of the eviction order was lifted.
5. The Tenants filed a request to review the denial of their set aside motion, alleging that they were not reasonably able to participate in the hearing held on January 14, 2026.
6. The Tenants did not attend the review hearing to support their request for a review. Consequently, I find that the Tenants have abandoned their request for a review, and the stay will be lifted on the set aside order.

Costs:

7. The Landlords request \$700.00 costs, alleging that the Tenants have filed a succession of reviews, and a motion, in bad faith to delay their eviction. As a result of the Tenants' repeated reviews and the motion, the Landlords have incurred costs to hire a legal representative for which they incurred preparation and appearance costs for at least three hearings which the Tenants failed to attend. The Tenants have also issued a summons to have a witness appear for at least two hearings which the Tenants failed to attend.
8. In accordance with Rule 23.2 of the Landlord and Tenant Board's Rules of Practice and the Board's Interpretation Guideline 3, a Member may order costs where the conduct of a party was unreasonable. Conduct is unreasonable if it causes undue expense or delay.
9. The Landlords were obliged to hire a legal representative for a number of review hearings and a motions hearing who, in turn, had to spend several hours preparing for each of the hearings, and at least three hours attending the hearings, and several hours gathering and disclosing evidence or attempting to communicate with the Tenants about the evidence, as well as preparing the proper documents to have the Board issue a Summons on at least two occasions. There were also witness costs.
10. I find that the Tenants' conduct caused the Landlords undue expense in preparing for the original review hearing, they breached the order emanating from that hearing almost immediately, then the Landlords had to hire a representative to prepare for a motions hearing, and then the same again for a review hearing. The Tenants failed to attend on at least three occasions, and I find this is evidence that proves, on a balance of probabilities,

that the Tenants' requests and motions have been filed in bad faith, in order to delay the process of eviction. As such, I find that the Tenants' conduct was unreasonable, and it warrants an award of costs of at least the \$700.00 requested by the Landlords.

11. I also find that an administrative Board fine is appropriate in this case for the following reasons.
12. According to subsection 204(3) of the *Residential Tenancies Act, 2006* (the 'Act'), the Board's Rules of Procedure, Rule 23.4, and the Board's Interpretation Guideline #3 the Board may order a party to pay the Board the costs of a proceeding. These costs shall not exceed \$100.00 per hour or \$700.00 per proceeding.
13. The Board's Interpretation Guideline #3 provides that an order for Board costs is appropriate in cases in which the "adjudicative costs to the public have been unjustifiably increased by the unreasonable conduct" of a party. Unreasonable conduct includes asking for adjournments or delays without justification, and/or creating unnecessary steps in a proceeding.
14. In this case, the Tenants' conduct has led to a number of unnecessary hearings scheduled by the Board. The Board's time was also wasted issuing stay orders. There have been two reviews of an application, as well as a motions hearing, that the Tenants did not attend, and for which they provided no prior communication to the Landlords that they were not going to attend. The Tenants have repeatedly weaponized the legal process, creating undue expense to the Landlords and a significant amount of wasted Board time, to delay their eviction.
15. I find that the Tenants' unreasonable conduct in this application has led to at least three hours of wasted Board time, and therefore \$300.00 of Board costs.

It is ordered that:

1. The request to review order LTB-L-101356-25-SA issued on January 21, 2026, is denied. The order is confirmed and remains unchanged.
2. The interim order LTB-L-101356-25-SA-RV-IN issued on January 22, 2026, is cancelled. The stay of order LTB-L-101356-25-SA issued on January 21, 2026, is lifted immediately. This also means, in effect, that the stay of order LTB-L-101356-25 issued on December 8, 2025, is lifted immediately.
3. The Tenants shall pay the Landlords \$700.00 costs.
4. If the Tenants do not pay the Landlords the full amount owing on or before March 8, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 9, 2026, at 4.00% annually on the balance outstanding.
5. The Tenants shall pay costs of \$300.00 to the Landlord and Tenant Board on or before March 8, 2026.

6. If the Tenants do not pay the Board the full amount owing on or before March 8, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 9, 2026, at 4.00% annually on the balance outstanding.

February 25, 2026
Date Issued

Nancy Morris
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.

Payment of costs must be made to the Board by the deadline set out above. The fine can be paid by certified cheque, bank draft or money order made payable to the *Minister of Finance*. If paying in person, the debt can also be paid by cash, credit card or debit card.