



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

File Number: LTB-L-046459-25-RV

In the matter of: 508, 707 EGLINTON AVE W
TORONTO ON M5N1C8

Between: Leonard Sedun Landlord

And

Leonid Bagriy Former
Tenant

Review Order

Leonard Sedun (the 'Landlord') applied for an order requiring Leonid Bagriy (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was resolved by order LTB-L-046459-25 issued on February 13, 2026.

On February 25, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file.

Determinations:

1. The Tenant submits both that they were unable to reasonably participate on the original hearing date and that the resulting order contains several serious errors.

Ability to Participate

2. The Tenant's Request to Review alleges that they did not have access to their email beginning December 29, 2025 through to February 6, 2026, and therefore could not reasonably attend the hearing date of February 3, 2026.
3. The Landlord submitted a Certificate of Service confirming that the Notice of Hearing and L10 Application were sent to the Tenant by email on December 29, 2025. Furthermore, the Landlord submitted a confirmation that confirmed the email was delivered to the Tenant.

4. As stated by the Court in *Q Res IV Operating CP Inc. v. Berezovska* [2017 ONSC 5541](#), “[I]f parties are not diligent in dealing with legal proceedings then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely cost-effective and final orders.”
5. I am not persuaded that the Tenant exercised due diligence with respect to attending the hearing. According to the Request to Review, it is undisputed that the Tenant received the Notice of Hearing on December 29, 2025. However, they offer only a bald assertion that they were unable to access their email. There is no explanation in the request as to what steps the Tenant took to gain access to their email, nor why access was only gained on February 6, 2026. Based on the submissions provided, I am not satisfied that the Tenant has demonstrated that they were not reasonably able to participate in the proceeding.

Serious Errors

6. The Tenant alleges there were multiple serious errors in the order. The hearing was uncontested, and the Member’s decision was based on the evidence before him.
7. The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient evidence before the Board to support its conclusions. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality (see *TSL-51694-14-IN-RV*, *TEL-25281-12-RV*, and *TEL-34298-13-RV*).
8. The Member’s decision is entitled to deference, and therefore I cannot find that there is a serious error in the decision.

It is ordered that:

1. The request to review order LTB-L-046459-25 issued on February 13, 2026 is denied. The order is confirmed and remains unchanged.

February 25, 2026

Date Issued

Brett Lockwood

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.