



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

Citation: 528 Lancaster Street West Inc. v Leitch, 2026 ONLTB 18501

Date: 2026-02-26

File Number: LTB-L-020997-25-RV

In the matter of: 308, 528 LANCASTER ST W
KITCHENER ON N2K0H7

Between: 528 Lancaster Street West Inc.

Landlord

And

James Leitch

Tenant

Review Order

528 Lancaster Street West Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict James Leitch (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-020997-25 issued on February 12, 2026.

On February 26, 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. This review request is made on the grounds of serious error and being not reasonably able to participate in the proceedings.
2. The hearing that gave rise to the order under review took place on February 5, 2026. The Tenant attended and gave submissions and evidence.
3. The Tenant submits that the Member erred by refusing to accept evidence filed by the Tenant. The evidence in question is evidence to support issues that the Tenant sought to raise under s.82 of the *Residential Tenancies Act, 2006* (the 'Act'). The Member properly refused to accept this evidence or hear the Tenant's issues under s.82. As explained clearly in the order, the Tenant had not complied with the requirement to serve the Landlord with their submissions and evidence regarding these issues.
4. The Tenant submits that the Member erred by refusing the Tenant's request to adjourn this hearing. The Tenant submits that on January 29, 2026 the Tenant filed a request to reschedule this matter which was not adjudicated. The Tenant further submits that on the

date of the hearing the Tenant's mother had a critical medical appointment that required the Tenant's attendance. The Tenant has not stated that this critical medical appointment could not be rescheduled and, in any event, the Tenant attended the hearing. The Tenant has also not stated that they requested an adjournment at the hearing. There is no indication in the order that the Tenant requested that the hearing be adjourned. In these circumstances I am not satisfied that the Member erred by refusing a request to adjourn the hearing. Regarding the request to reschedule, there is no request to reschedule in the Board's file. Even if the Tenant had filed such a request and it was not adjudicated, this is not an error of the Board. When a request to reschedule a matter is not granted, the party making the request is expected to attend the hearing to request an adjournment or send a representative to do so.

5. The Tenant has submitted that there were "service irregularities" with respect to notices in the file. The Tenant has not described this issue with sufficient particularity to determine that there is a serious error in the order or the procedure. This submission does not state how the Board or the Member erred.
6. The review request submits that the tenancy is financially viable. This submission does not state how the Board or the Member erred and so I am not satisfied that the Board or Member erred with respect to whether the tenancy is financially viable.
7. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-020997-25 issued on February 12, 2026 is denied. The order is confirmed and remains unchanged.

February 26, 2026
Date Issued

Renée Lang
Vice Chair, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.