



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

Citation: Manulife General Account Real Estate Limited Partnership v Saunders, 2026 ONLTB 16749

Date: 2026-03-06

File Number: LTB-L-043679-25-RV

In the matter of: 2419, 44 CHARLES ST W
TORONTO ON M4Y1R7

Between: Manulife General Account Real Estate Limited Partnership Landlord

And

Lucia Maria Saunders Tenant

Review Order

Manulife General Account Real Estate Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Lucia Maria Saunders (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was resolved by order LTB-L-043679-25 issued on August 22, 2025.

On September 3, 2025, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On October 22, 2025 interim order LTB-L-043679-25-RV-IN was issued, staying the order issued on August 22, 2025

This application was heard by videoconference on November 17, 2025.

The Landlord's legal representative, Preston Haynes, and the Tenant attended the hearing.

Determinations:

1. The Tenant says they were unable to participate in the hearing on August 12, 2025 because they believed it had been rescheduled and further, they would have been unable to attend because they were out of the country attending to a family emergency.

2. The Tenant filed a request to reschedule on July 14, 2025, which was denied because it was not on consent. On July 21, 2025 the Tenant travelled overseas to be with a hospitalized family member. The Tenant explained this circumstance to the Landlord and requested a rescheduling of the hearing. The Tenant filed a second request to reschedule with the Board on August 5, 2025, which was again denied because it was not on consent.
3. The Tenant says that although the Landlord didn't agree to a rescheduling in writing, they agreed verbally to the Tenant's request to adjourn on the basis that the Tenant had promised to pay the arrears when they returned home later in August. The Landlord acknowledges that the Tenant made this request and promise to pay, but denies agreeing to the adjournment.
4. On the basis of the submissions made in the request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.
5. I recognize that the Tenant is a person with a disability which would have complicated her situation. However, the Tenant was able to file a request to reschedule before leaving the country and while overseas. They had access to a civil lawyer who is representing them in another ongoing case, a friend who is a lawyer in the overseas community, and a friend who attended the review hearing with her who is a lawyer. In these circumstances I am not satisfied that the Tenant would not have been able to attend or have someone attend the hearing on her behalf.
6. The Tenant received clear written communication that their request to reschedule was denied. I do not find the Tenant's assertion that they believed the Landlord had agreed to a rescheduling to be credible. The Tenant's credibility is undermined by their unfulfilled promise to pay the arrears by the end of August; as of the review hearing date almost three months later no payments have been made.
7. As the parties were advised at the hearing that the request to review was denied, the Tenant has already benefitted from a delayed order issuance and no further delay in lifting the stay is justified.

It is ordered that:

1. The request to review order LTB-L-043679-25 issued on August 22, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 22, 2025 is cancelled. The stay of order LTB-L-043679-25 is lifted immediately.

March 6, 2026
Date Issued

Dawn Carr
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.