



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

File Number: LTB-L-101738-25-SA-RV

In the matter of: 48, 7475 GOREWAY DR
MISSISSAUGA ON L4T3T3

Between: Gobinda Roy Landlords
Poly Das

And

Kwame Boampong Tenants
Cynthia Boampong

Review Order

Gobinda Roy and Poly Das (the 'Landlords') applied for an order to terminate the tenancy and evict Kwame Boampong and Cynthia Boampong (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants did not meet a condition specified in the order issued by the LTB on January 3, 2025 with respect to application LTB-L-059469-24.

The Landlords' application was resolved by order LTB-L-101738-25, issued on December 8, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-101738-25.

The application was resolved by order LTB-L-101738-25 issued on January 22, 2026.

On February 5, 2026 the Tenants requested a review of the order and that the order be stayed until the request to review the order is resolved.

On February 6, 2026 interim order LTB-L-101738-25-RV-IN was issued, staying the order issued on January 22, 2026.

This motion was heard by videoconference on March 11, 2026.

The first named Landlord GR and the Tenants and their daughter attended the hearing.

Determinations:

Request to Review

1. The Tenants' daughter testified that on the date of the hearing, her sister was supposed to help their parents sign into the virtual hearing. However, she had unexpected delays at work and was unable to assist.
2. The Tenants had the Notice of Hearing (NOH) in their possession on the date of the hearing. The NOH emphasizes more than once that they must attend otherwise a hearing will be held and the Board will make a decision in their absence.
3. I am aware of the Divisional Court's decision in *King-Winton v. Doverhold Investments Ltd.*, 2008 CanLII 60708 that "being reasonably able to participate in the proceeding must be interpreted broadly, natural justice requires no less." I have interpreted this situation broadly and find that Tenants' failure to exercise due diligence did not render the Tenants not reasonably able to participate in the proceedings. This decision is consistent with the Divisional Court's recent decision in *Khani v. Zhang*, 2019 ONSC 1362 (CanLII).
4. Based on the above findings, I am satisfied the Tenants were aware of the hearing and chose not to attend. The Tenants provided no evidence to suggest they were unable to attend the hearing, only that their daughter, who is not a party to the application, could not attend. As such, I do not find the Tenants were not reasonably able to participate in the proceedings.
5. Therefore, the Tenants' request to review is denied.

Lifting the Stay

6. The stay of order LTB-L-101738-25 is lifted on April 30, 2026. In determining this date, I considered the length of tenancy and the fact that there are dependent children in the unit.

It is ordered that:

1. The motion to set aside Order LTB-L-101738-25, issued on December 8, 2025, is denied.
2. The stay of order LTB-L-101738-25 is lifted on April 30, 2026.
3. Order LTB-L-101738-25 is unchanged.

March 26, 2026
Date Issued

Elena Jacob
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.