



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

Citation: Siddiqui v Dragan, 2026 ONLTB 22252

Date: 2026-03-30

File Number: LTB-L-032443-25-RV2

In the matter of: 153 CLAPPISON BLVD
SCARBOROUGH ON M1C2H3

Between:	Munam Siddiqui	Landlord
	and	
	Mariana Dragan Emilian Catalin Camen	Tenant

Review Order

Munam Siddiqui (the 'Landlord') applied for an order to terminate the tenancy and evict Mariana Dragan and Emilian Catalin Camen (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Following the Tenant's successful request to review of the initial order that resolved this application, order LTB-L-032443-25 issued on July 29, 2025, a re-hearing of the application was heard by videoconference on February 13, 2026.

The application was resolved by order LTB-L-032443-25-RV issued on February 25, 2026.

On March 10, 2026, the Tenant requested a review of order LTB-L-032443-25-RV issued on February 25, 2026, and filed a request to accommodate.

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

Determinations:

1. This is the second review request by the Tenant in the same proceeding.
2. The original order that resolved this application issued on July 29, 2025. The Tenant requested a review of that order. The Tenant's review request was sent to a hearing and her request to review was granted. A new hearing of the application was heard by videoconference on February 13, 2026. The tenant now seeks a review of order LTB-L-032443-25-RV issued on February 25, 2026.

3. Rule 26.18 of the Board's Rules of Procedure provides as follows: The LTB will not consider a further request to review the same order or to review the review order from the same requesting party.
4. Rule A4.2 permits the Board to waive the application of any rule. The Tenant's request to review relates to the new hearing. The serious error in the original hearing was denying the Tenant's request for French Language Services which impaired her ability to participate fully in the original hearing. As a result, I find the Tenant's request to review order LTB-L-032443-25-RV issued on February 25, 2026, is akin to a request to review an original hearing order and so have waived Rule 26.18.
5. On the basis of the submissions made in the Tenant's request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding or that there is a serious error in the order or that a serious error occurred in the proceedings.
6. The Tenant is seeking another hearing and asserts that she was not reasonably able to participate in the re-hearing on February 13, 2026, and that order LTB-L-032443-25-RV issued on February 25, 2026, contains a serious error because:
 - a. she was on her way to the hospital to have an operation on her leg and was not able to hear the proceedings very well or explain because she was stressed about her pending operation; and,
 - b. she has not yet found a solution and would like more time to find a new place for her family to live. In particular, she states she requires legal advice to find the fastest solution, she has reached out for assistance to payoff the arrears but the time to do so is too short, and she has made calls to get help and is awaiting a response.
7. The Tenant's request for accommodation also indicates she requires legal advice because she has reached out for assistance, but the time provided in the order is very short and she needs and would like another chance. Attached to the Tenant's request is a copy of an email from a remotely located budget counsellor and advisor. I find the focus of this communication is to seek local assistance for the Tenant.
8. I find the Tenant's request for accommodation does not reflect a request for accommodation in the review process and is instead a continued articulation of her request to review and so I have addressed it as such.
9. The February 25, 2026, order reflects the Vice-Chair was aware of the Tenant's circumstances and it is set out that the Tenant participated in the hearing as a passenger in a car enroute to the hospital for surgery on her foot and that the hearing concluded before the appointed time.
10. The recording also reflects the Vice-Chair asked the Tenant if she was able to proceed and the Tenant said she was. While the Tenant indicated she would normally ask if an adjournment was possible, I find the recording reflects that she ultimately did not do so.

Instead she advised the Vice-Chair that if the matter was to proceed then she had limited time.

11. On the recording the Tenant sounds cogent and alert. She did not ask for anything to be repeated, and she responded to questions, evidence, and submissions with no indication she lost her focus.
12. Further, from the limited information provided with her request for accommodation, I find the Tenant has, without explanation, not provided the usually expected information such as health care records detailing the impact, if any, of her accommodation needs on her ability to participate in the hearing.
13. Based on the above I am not satisfied the Tenant has shown they were not reasonably able to participate in the proceeding and I find the Tenant was afforded procedural fairness.
14. The balance of the Tenant's review request in essence seeks additional time to find a new residence or pay off the arrears.
15. The ability to postpone eviction is a discretionary decision of the Vice-Chair who heard all of the evidence and submissions from both sides at the hearing.
16. The order reflects the Vice-Chair considered the Tenant's circumstances including difficulties in finding assistance to pay the arrears owed and her request either for a payment plan or to postpone eviction for 3 to 4 months.
17. The order reveals a reasonable basis for the Vice-Chair's decision not to do so. The reasonable exercise of discretion will not be interfered with on review.
18. Further, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371, that relief from eviction does not have a second independent applicability at the preliminary review stage of the LTB's review process. Relief from eviction is only available if a review request is granted and if, after a rehearing of the application, the landlord proves the grounds to terminate the tenancy.
19. I find the Tenant has not shown that an error exists in order LTB-L-032443-25-RV issued on February 25, 2026, that an error occurred in the proceeding, or that the Tenant was not reasonably able to participate in the proceeding.
20. The Tenant's request to review the order is denied.

It is ordered that:

1. The request to review order LTB-L-032443-25-RV issued on February 25, 2026, is denied. The order is confirmed and remains unchanged.

March 30, 2026
Date Issued

Rebecca Case
Vice Chair, Landlord and Tenant Board

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