



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

**File Number:** LTB-L-002598-26-RV

**In the matter of:** 1, 29 CLYDE ST  
HAMILTON ON L8L5R5

**Between:** Warren Xu Landlord

**And**

James Pilgrim Tenant

### **Review Order**

Warren Xu (the 'Landlord') applied for an order to terminate the tenancy and evict James Pilgrim (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant failed to meet a condition specified in the order issued by the Board on September 12, 2025 with respect to application LTB-L-030349-25.

This application was resolved by order LTB-L-002598-26 issued on February 26, 2026.

On March 3, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On March 3, 2026 interim order LTB-L-002598-26-RV-IN was issued, staying the order issued on February 26, 2026

This application was heard by videoconference on April 14, 2026.

Only the Landlord's Legal Representative, Glenn Gosling, attended the hearing. I was satisfied that the Tenant had received the Notice of Hearing and there was no request to adjourn before me. Based on this, I proceeded to hear the review at 9:43 p.m..

### **Determinations:**

1. Since the Tenant did not appear at the hearing to support their review, I find that this review has been abandoned.

### **Cost:**

2. At the hearing, the Landlord's Legal Representative asked the Board to consider making an order that the Tenant pays costs to the Landlord. The Landlord's Legal Representative submitted that the Tenant abandoned their own review hearing and cost the Landlord's Legal Representative appearance and preparation the file.

3. The Board has a discretionary power similar to that of the Courts to order costs. Interpretation Guideline 3 sets out the Board's position on when it may be appropriate to order costs:

*A Member has the discretion to require a party, a party's agent or a party's legal representative to pay, as costs, any representation or preparation expenses of another party where the conduct of the party, a party's agent or a party's legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay...*

4. The Landlord's request for costs is denied. As this was the first appearance for the review hearing, I am not satisfied that the Tenant's conduct in the proceeding was unreasonable or caused undue expense or delay in today's proceeding.
5. The Landlord chose to retain legal representation to respond to the review. Although this may have resulted in additional expense, those are costs ordinarily incurred in litigation. I am not persuaded that they were caused by unreasonable conduct on the part of the Tenant. For these reasons, I decline to award costs to the Landlord.

**It is ordered that:**

1. The request to review order LTB-L-002598-26 issued on February 26, 2026, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on March 3, 2026, is cancelled. The stay of order LTB-L-002598-26 is lifted immediately.

**April 16, 2026**  
**Date Issued**

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Joy Xiao  
Member, 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.