



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

Citation: Tan v Sumadi, 2026 ONLTB 32046

Date: 2026-04-21

File Number: LTB-L-090564-25-RV

In the matter of: 3227 Edwyna Dr
Mississauga ON L5M0V3

Between: Mui Leng Tan Landlord

and

Maweya Al Sumadi Tenant

Review Order

Mui Leng Tan (the 'Landlord') applied for an order to terminate the tenancy and evict Maweya Al Sumadi (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has willfully or negligently caused damage to the premises.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-090564-25 issued on February 3, 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-090564-25-RV-IN was issued, staying the order issued on February 3, 2026.

The review request was heard by videoconference on April 16, 2026.

The Landlord's Legal Representative, Yun Tao Li, and the Tenant attended the hearing.

Determinations:

1. Based on the submissions made, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding that took place on January 19, 2026. Accordingly, the Tenant's request to review must be denied.
2. The Tenant testified that he was suffering from lower back and shoulder pain due to a prior dislocation and, at the time of the hearing, was in excruciating pain and unable to log into the hearing. He testified that he sought medical attention for the issue 3 days prior to the hearing and provided a medical note confirming that he attended an Osteopathic Rehab Clinic for an initial assessment and treatment. Following his visit to the rehab clinic, his wife and son assisted him at home with daily activities.
3. I am not satisfied, based on the Tenant's evidence, that he was in such excruciating pain that he was unable to call into the hearing or ask someone to assist him in requesting an adjournment. The medical note provided in support of the Tenant's statements simply advises the Tenant to avoid strenuous activity. I am not convinced that using a telephone to call into a virtual hearing is overly strenuous.
4. Even if I accept the Tenant's evidence that he was in such pain that he was prevented from calling into the hearing, the Tenant did not provide any reasonable explanation as to why no one else could have attended on his behalf or why he did not contact the Landlord's Legal Representative or the LTB in advance to request a rescheduling of the hearing date. I do not accept that the Tenant was in too much pain that he could not speak to his wife or his son to ask them to call in on his behalf. I find it unreasonable that the Tenant made no attempts to contact the Landlord or their representative or the LTB and chose not to ask his wife to attend the hearing on his behalf.
5. Based on the evidence before the Board, I find that the Tenant had a reasonable opportunity to participate but failed to exercise due diligence or chose not to attend (*Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 CanLII (Div. Ct.)).
6. In *Berezovs'ka*, at para. 8, the Court noted that:

If parties are not diligent in dealing with legal proceedings then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely, cost-effective and final orders.
7. For the foregoing reasons, I am not satisfied that the Tenant was not reasonably able to participate in the January 19, 2026 hearing. Accordingly, the request to review must be denied.

It is ordered that:

1. The request to review order LTB-L-090564-25 issued on February 3, 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-090564-25 is lifted immediately.

April 21, 2026
Date Issued

Candace Aboussafy
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.