



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

File Number: LTB-T-014270-24-RV

In the matter of: 36 MOSSGROVE CRES
BRAMPTON ON L7A3E6

Between: Gurpreet singh Sandhu Tenant

And

Marion Mirsoane Landlord

Review Order

Gurpreet Singh Sandhu (the 'Tenant') applied for an order determining that Marion Mirsoane (the 'Landlord'):

- collected or retained money illegal (T1 application)
- entered the rental unit illegally.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home. (T2 application)

This application was resolved by order LTB-T-014270-24 issued on October 17, 2025. The Tenant did not attend the hearing on October 14, 2025.

On November 7, 2025, the Tenant requested a review of the order. On November 10, 2025, interim order LTB-T-014270-24-RV-IN was issued.

The review request was heard by videoconference on December 1, 2025. The Tenant did not attend the hearing on December 1, 2025, and the review was dismissed as abandoned.

On January 26, 2026, the Tenant requested a review of the order.

On January 28, 2026, interim order LTB-T-014270-24-RV-IN was issued, staying the order issued on December 5, 2025.

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

Only the Tenant and the Tenant's representative, Chitra Chugh, attended the hearing. I was satisfied that the Landlord 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 2:03 p.m.

Determinations:

Review Request:

1. The Tenant's request for review alleges that he was not reasonably able to participate in the review hearing on December 1, 2025.
2. Based on the submissions made in the request and the evidence before me, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.
3. The Tenant acknowledged receiving the Notice of Hearing for his own review request, and the Board's records confirm that notice of the December 1, 2025, hearing was served on the parties on November 10, 2025.
4. The Tenant testified that he lost his phone about one week before the hearing, around November 24, 2025, and that he did not have a computer or any other resource to log into the hearing on December 1, 2025. However, the Tenant did not provide a satisfactory explanation as to why he could not borrow a phone to contact the Board before the hearing and request that it be rescheduled. The Tenant's representative, Ms. Chugh, also resided in the rental unit, and the Board's records confirm that she also received notice of the hearing. However, she did not provide a persuasive explanation as to why she could not use her phone or a computer to log into the hearing on December 1, 2025. Nor did the Tenant explain why he could not use her device to contact the Board, notify it of his challenge, or attend the hearing on his own review request.
5. The Divisional Court in *Q Res IV Operating Gp Inc. v. Berezovs'ka*, 2017 ONSC 5541 (Div. Ct.) (CanLII) states: "*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.*"
6. In this case, the Tenant acknowledged receiving notice of the hearing and was aware of the date and importance of the proceeding, particularly because it arose from his own request after missing the first hearing on his own application. However, when the Tenant lost his phone one week before the hearing, he made no reasonable effort to address the problem. He did not contact the Board to request a rescheduling, did not use the device of the person living with him to attend the hearing or contact the Board, and did not arrange for a friend or authorized agent to call in and request an adjournment on his behalf.
7. This is the Tenant's second request for review arising from his failure to attend a hearing on his own application. The Tenant therefore knew that his nonattendance could result in the review being denied. Despite this, he made no meaningful effort to participate in the proceeding or to have the matter adjourned.
8. Applying the reasoning in *Berezovs'ka*, I find that the Tenant did not exercise appropriate diligence when he failed to participate in the hearing on December 1, 2025, after proper service of the Notice of Hearing. The Tenant has therefore not demonstrated that he was not reasonably able to participate in that hearing.

It is ordered that:

1. The request to review order LTB-T-014270-24 issued on December 5, 2025, is denied.
The order is confirmed and remains unchanged.
2. The interim order issued on January 28, 2026, is cancelled.

April 24, 2026
Date Issued

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.