



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

File Number: LTB-T-066676-23-RV2

In the matter of: Lower, 545 Evangeline Ave. North
Kingston ON K7M8R3

Between: Christina Sousa Tenant

And

Sue Badour Former Landlord
(Seller)

And

Abena Forsythe Landlord
(Purchaser)

Review Order

Christina Sousa (the 'Tenant') applied for an order determining that Sue Badour (the 'Former Landlord' and 'Seller') and Abena Forsythe (the 'Landlord' and 'Purchaser') gave a notice of termination in bad faith.

This application was originally resolved by order LTB-T-066676-23 issued on September 25, 2024. The Former Landlord (Seller) did not attend the original hearing on May 30, 2024.

On February 7, 2025, the Former Landlord requested a review of original order LTB-T-066676-23 issued on September 25, 2024. That review was granted by order LTB-T-066676-23-RV-IN2 issued on April 16, 2025 and the matter was directed to a de novo hearing to be heard on the merits of the original application.

The application was heard de novo and resolved by order LTB-T-066676-23-RV issued on August 6, 2025. The Landlord (Purchaser) did not attend the de novo hearing on July 22, 2025.

On December 11, 2025, the Landlord requested a review of order LTB-T-066676-23-RV issued on August 6, 2025 and that the order be stayed until the request to review the order is resolved.

On December 15, 2025, interim order LTB-T-066676-23-RV-IN3 was issued, staying the de novo order issued on August 6, 2025.

This second review was heard by videoconference on January 7, 2026 and the second review was granted under order LTB-T-066676-23-RV-IN4 issued on January 14, 2026 and a new hearing de novo was ordered.

This application was heard de novo a second time by videoconference on April 21, 2026.

Only the Former Landlord, Sue Badour, the Former Landlord's legal representative, James Moak, the Purchaser Landlord, Abena Forsythe, and the Purchaser Landlord's legal representative, Carrie Aylwin, attended the hearing. The Purchaser Landlord's witness, Shirallee Palmer, also attended the hearing as summonsed.

As of 9:20am and up until the end of the hearing block at 11:03, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

The Tenant had attended the second review hearing on January 7, 2026. The LTB had emailed the Tenant a copy of the Notice of Review Hearing as per the Tenant's consent for email disclosure in the Tribunals Ontario Portal (TOP).

Accordingly, the Notice of Adjourned Hearing for this hearing de novo was also emailed to the Tenant on February 23, 2026 at 12:46pm with the email address provided under their TOP consent. The email was not returned as undeliverable.

Additionally, both of the named respondents had their respective disclosure also served to the Tenant via email on April 8, 2026 with no response from the Tenant. They confirmed that the email address which this Notice of Adjourned Hearing was sent on February 23rd is the same email address they disclosed their respective evidence to no reply.

Based on the above, I am satisfied that the Tenant was aware of the hearing date as they were amply provided with notice of the hearing.

Determinations:

1. Since the Tenant did not attend this de novo hearing in support of their application, I find that the Tenant has abandoned their application.

It is ordered that:

1. The Tenant's application is dismissed.

April 22, 2026
Date Issued

Terri van Huisstede
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.