



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

Citation: Abdulrasul v Camacho, 2026 ONLTB 33064

Date: 2026-04-22

File Number: LTB-L-003141-26-RV

In the matter of: 710, 10 De Boers Dr
North York ON M3J0L6

Between: Riyaz Abdulrasul
Naquiya Megjhi Landlords

and

Natalie Beatriz Camacho Tenant

Review Order

Riyaz Abdulrasul and Naquiya Megjhi (the 'Landlords') applied for an order to terminate the tenancy and evict Natalie Beatriz Camacho (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. **(L1 Application)**

The Landlords also applied for an order to terminate the tenancy and evict the Tenant because the Tenant has been persistently late in paying the Tenant's rent. **(L2 Application)**

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

This application was resolved by order LTB-L-003141-26 issued on April 20, 2026.

On April 21, 2026, the Tenant requested a review of the order.

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

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.
2. At the initial hearing, the Tenant made an adjournment request. The adjournment request was denied. The Tenant submits that the denial was unreasonable and her ability to participate in the hearing was limited due to her medication.

3. The presiding Member's decision to deny the adjournment request was not unreasonable.
4. Section 21 of the *Statutory Powers Procedure Act, 1990* (the 'SPPA') states that a hearing may be adjourned where it is shown to the satisfaction of the tribunal that an adjournment is required to permit an adequate hearing to be held. Interpretation Guideline 1 of the Board's Interpretation Guidelines states:

Parties should assume that the hearing will proceed on the date stated in the Notice of Hearing. This means that the parties should be prepared to present their evidence, call and question witnesses and make submissions.

...

Where the Member is satisfied that the party has received sufficient notice of the hearing and has been provided with an adequate opportunity to prepare their evidence and submissions, summons witnesses and obtain counsel ahead of the hearing date, an adjournment is not usually granted unless there are exceptional circumstances.

The specific factors the Member may consider in deciding whether to grant an adjournment include:

1. the reason for the adjournment and position of the parties;
 2. the issues in the application;
 3. any prejudice that may result from granting or denying the request;
 4. the history of the proceeding including other adjournments or rescheduling;
 5. the LTB's obligation to adopt the most expeditious method of determining the questions arising in a proceeding that affords to all persons directly affected by the proceeding an adequate opportunity to know the issues and be heard on the matter.
5. It is apparent from the final order that the presiding Member correctly exercised their jurisdiction under section 21 of the SPPA by admitting and considering the parties' evidence and circumstances when denying DY's adjournment request. The '**Preliminary Issue – Tenant Adjournment Request**' section of the final order shows that the presiding Member considered the reason for the adjournment request, and the lack of sufficient evidence to demonstrate that the Tenant required an adjournment for medical reasons. Although another Board Member may have exercised their discretion differently, the presiding Member's decision is entitled to deference.
 6. Additionally, the Tenant did not request any form of an accommodation during the hearing, such as additional time to formulate thoughts or frequent breaks. Based on the order and the hearing recording, it is apparent that the Tenant was aware of the issues and fully participated. There is no indication that the Tenant was not able to properly represent herself. The full participation renders any assertion that she was incapable, or her participation was impaired not credible. Overall, it is evident that the parties were of the issues in dispute and had the opportunity to submit evidence and make submissions with respect to those issues. As such, I am not satisfied that the Tenant's medication had any reasonable impact on her ability to participate.

7. The Tenant submits that it was a serious error for the Member to make determinations without the Board having heard and considered the issues in the Tenant's T2 Application. This is not an error. Rule 1.6(c) of the Board's Rules of Procedure state:

In order to provide the most expeditious and fair determination of the questions arising in any proceeding **the LTB may:**

(c) join applications or hear applications together where it is fair to do so;
[Emphasis added]

8. As stated in Rule 1.6(c), while the Board may hear applications together it is not required to. The Member correctly states in paragraph 6 of the order that the Tenant may proceed with her issues at the hearing of the T2 application.
9. The Tenant also alleges that the presiding Member seriously erred in his determination that the Tenant paid the rent late 16 out of 17 months. The Tenant submits that the Tenant acknowledged 5 late payments but disputes that any other months were paid late. I have listened to the hearing recording. The hearing recording confirms that the Tenant did not dispute that she made the payments late as alleged by the Landlord. Rather, the Tenant sought to provide explanations as to why the payments were not made on the first of the month.
10. While the Tenant may have what they believe to be a reasonable explanation for a payment not made on the first, a reasonable explanation for a late payment would not necessarily result in a finding that a particular payment was not made late. The presiding Member's finding of fact are therefore rationally connected to the evidence adduced at the hearing. Put differently, the presiding Member's findings of fact are not capricious. For these reasons, I find no error in this regard.
11. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.

It is ordered that:

1. The request to review order LTB-L-003141-26 issued on April 20, 2026 is denied. The order is confirmed and remains unchanged.

April 22, 2026
Date Issued

Candace Aboussafy
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.