



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

Citation: A.G.Secure Property Management Inc v Johnson, 2026 ONLTB 33514

Date: 2026-04-23

File Number: LTB-L-001637-26-RV

In the matter of: 1, 14 COLDWATER RD
ORILLIA ON L3V3L1

Between:	A.G.Secure Property Management Inc	Landlord
And		
	Dana Johnson Steven Evans	Tenant

Review Order

A.G.Secure Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Dana Johnson and Steven Evans (the 'Tenants') because the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another Tenants

The Landlord also applied for an order requiring the Tenants to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenants' conduct. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest. This application was resolved by order LTB-L-001637-26 issued on April 16, 2026.

On April 22, 2026, the Tenant Dana Johnson requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Tenants did not attend the hearing held on April 9, 2026.
2. In the review request, the Tenant Dana Johnson states that she did not attend the hearing because she had to work at 10:30 to 4:30 and did not have anyone to represent her.
3. It is clear the Tenant was aware of the hearing. I note, the matter was part of a full day block. The Notice of Hearing instructed parties to arrive 30 minutes before the scheduled block, meaning 8:30 am.

4. The Tenant was not scheduled to work until 10:30 am and could have attended the hearing to request to adjourn. I also note, the Tenant did not request to reschedule when they became aware of the scheduling conflict.
5. The Notice of Hearing provides detailed instruction to parties, including consequences for failure to attend.
6. In my view, the Tenant had ample time to join the hearing and address the issue with the presiding Member. The Tenant took no steps to do so. Rather, the Tenant simply chose not to attend.
7. In *Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 (Div. Ct.) (CanLII), the Divisional Court affirmed that parties to an application must exercise reasonable diligence to participate in a Board proceeding. This includes attending a hearing on the scheduled date.
8. In keeping with the Divisional Court's decision in *Q Res IV Operating GP Inc*, I similarly find that it is more likely than not that the Tenant did not act with due diligence to ensure they were able to participate in the hearing. The Tenant did not request to reschedule the hearing and did not follow the Board's instructions to join the hearing when they had time to do so. In my view, it is a reasonable expectation that the Tenant could have attend the hearing to address their concerns.
9. Based on the above, I conclude that the Tenant has not shown good cause to review the April 16, 2026 order. The Tenant did not show that they were not reasonably able to participate in the April 9, 2026 proceeding or that they exercised reasonable diligence in the circumstances to attend the hearing. The request to review the April 16, 2026 order will therefore be denied.
10. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The request to review order LTB-L-001637-26 issued on April 16, 2026 is denied. The order is confirmed and remains unchanged.

April 23, 2026
Date Issued

Dana Wren
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.