



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

Citation: CAI v FAMENIAN, 2026 ONLTB 33832

Date: 2026-04-24

File Number: LTB-L-045350-25-RV

In the matter of: 219 BAKER AVE
RICHMOND HILL ON L4C1X8

Between: CHANGJING CAI Landlord

And

LEILA FAMENIAN Tenants
BABAK GHAREEI KHABBAZ
IMAN FAMENIAN

Review Order

CHANGJING CAI (the 'Landlord') applied for an order to terminate the tenancy and evict LEILA FAMENIAN, BABAK GHAREEI KHABBAZ and IMAN FAMENIAN (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-045350-25 issued on April 17, 2026. This was the *de novo* hearing of the Landlord's application. The Tenants were not present nor represented at this hearing.

On April 23, 2026, the Tenants requested a review of the order.

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

Determinations:

1. The review request claims two grounds for error; not reasonably able to participate at the April 9, 2026 hearing and serious error in the April 17, 2026 order.

Were the Tenants reasonably able to participate at the hearing?

2. There is very little information in the review request to support the claim that the Tenants were not reasonably able to participate in the proceedings. The request states, in part, the matter proceeded "in the absence of the Tenants and their representative and the Board relied solely on the Landlord's submissions".

3. On the basis of the submissions made in the request, I am not satisfied that the Tenants were not reasonably able to participate in the proceeding. The Tenants have provided insufficient information to support the request.
4. In *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) (CanLII), the Divisional Court affirmed that a person who requests a review of an order must give “sufficient information to support a preliminary finding of an alleged serious error or an explanation why the requestor was not reasonably able to participate in the hearing”, per Rule 26.8 of the Board’s Rules of Procedure.
5. There are no submissions in the review request other than to proceed in the Tenants’ absence was prejudicial. As such, this portion of the request is denied.

Does the Order contain a serious error?

6. The review request asserts that the April 17, 2026 order contains a serious calculation error in the arrears claimed by the Landlord.
7. I have reviewed the application record and the submissions included in the review request. The amounts claimed as paid in the review request were included in the Landlord’s ledger relied on by the Landlord at the April 9, 2026 hearing and considered by the presiding Member. In my view, the order issued on April 17, 2026 is based on the evidence presented at the hearing and include the payments claimed by the Tenants.
8. Given the above, I cannot find that the April 17, 2026 order contains a serious error.
9. The Tenants’ review request is denied.

It is ordered that:

1. The request to review order LTB-L-045350-25 issued on April 17, 2026 is denied. The order is confirmed and remains unchanged.

April 24, 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.