



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

**Citation:** ZHANG v Koca, 2026 ONLTB 33829

**Date:** 2026-04-24

**File Number:** LTB-L-007246-26-RV

**In the matter of:** 9 OLD FIELD CRES  
EAST GWILLIMBURY ON L9N0A5

**Between:** DEMING ZHANG Landlord  
BAORU ZHAO

**And**

Ozan Koca Tenant  
Cansu Koca

### **Review Order**

DEMING ZHANG and BAORU ZHAO (the 'Landlord') applied for an order to terminate the tenancy and evict Ozan Koca and Cansu Koca (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-007246-26 issued on April 8, 2026.

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

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

### **Determinations:**

1. The Tenant did not attend the hearing that occurred on April 1, 2026. The Tenant does not allege that they were not aware of the hearing but rather says they were unable to attend because they underwent a kidney transplant 7 months ago and had wrist surgery on March 25, 2026.
2. On the basis of the submissions made in the request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.
3. 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.

4. The Tenant has provided insufficient information to explain why a kidney transplant that happened 7 months before the hearing or a wrist surgery that happened a week before the hearing prevented them from attending the hearing or at the very least filing a request to reschedule. The Tenant has not provided a doctor's note to provide further information. Based on the limited submissions in the request I'm not satisfied that the medical issues that occurred significantly prior to the proceeding prevented the Tenant from attending.
5. The Divisional Court has repeatedly affirmed that parties to an application are required to follow the Board's process to reschedule or adjourn a hearing: *Lacroix v. Central-McKinlay International Ltd.*, 2022 ONSC 2807 (Div. Ct.) (CanLII); *Wang v. Oloo*, 2023 ONSC 1028 (Div. Ct.) (CanLII). The Tenant did not file a request to reschedule in advance of the hearing and did not attend the hearing to seek an adjournment. The submissions in the request do not outline any reasonable steps the Tenant took to do so or explain why the Tenant could not do so.
6. In the absence of more information that explains why the medical issues that occurred significantly prior to the hearing prevented the Tenant from attending or filing a request to reschedule, I'm not satisfied that a lack of diligence was not the reason for the Tenant's absence. In *Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 (CanLII) the Court stated:

Lack of diligence in dealing with court proceedings is a reason for refusing to set aside an order where a party has failed to appear. In other words, it was not an error in law for the Review Board to find that lack of diligence constituted a reason not to grant the landlord a rehearing. 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.

7. The Tenant also states in the request that they require a Turkish interpreter for any further hearings and says that English is not their first language. The Tenant does not connect that to why they were unable to attend the hearing. I'm therefore not satisfied that a language barrier is the reason for the absence. The Tenant explicitly states that the reason for their absence was the medical issues.

**It is ordered that:**

1. The request to review order LTB-L-007246-26 issued on April 8, 2026 is denied. The order is confirmed and remains unchanged.

**April 24, 2026**  
**Date Issued**

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Amanda Kovats  
Member, Landlord and Tenant Board

Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.