



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

File Number: LTB-L-004680-26-SA-RV

In the matter of: 505, 845 CHELTON RD
LONDON ON N6M0K8

Between: DREWLO HOLDINGS INC. Landlord

And

KARINE PERREAULT Tenant

Review Order

DREWLO HOLDINGS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict KARINE PERREAULT (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on December 18, 2025 with respect to application LTB-L-078897-25.

This application was resolved without a hearing by order LTB-L-004680-26 issued January 26, 2026. The Tenant filed a motion to set aside the *ex-parte* order.

The motion was heard by videoconference on March 3, 2026, and resolved by order LTB-L-004680-26-SA issued on March 6, 2026. The Tenant did not attend the hearing of the set aside motion and the motion was dismissed as abandoned.

On March 6, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On March 6, 2026, interim order LTB-L-004680-26-SA-RV-IN was issued, staying the order issued on March 6, 2026.

This application was heard by videoconference on April 23, 2026.

The Landlord's Legal Representative, Anna Glen, and the Tenant attended the hearing.

Determinations:

The Review request:

1. The Tenant requests a review on the basis that she was not reasonably able to participate in the motion hearing on March 3, 2026, because she was ill that day.

2. The Tenant acknowledged that the notice of hearing was issued on February 4, 2026. She also acknowledged that she received the Landlord's evidence from the Landlord's legal representative on February 19, 2026. The Tenant testified that she initially recorded the hearing date correctly in her agenda as March 3, 2026, but later believed the hearing was scheduled for March 10, 2026.
3. The Tenant testified that she was ill at the time of the hearing. She stated that she had severe influenza, laryngitis, and a sinus infection. She testified that her symptoms included a high fever, weakness, and lethargy, and that she had been unwell since approximately March 1, 2026. The Tenant stated that she had virtual clinic appointments on March 3 and March 4, 2026. The Tenant did not attend a hospital. Her virtual clinic appointment on March 3, 2026, took place in the evening.
4. *Q Res IV Operating GP Inc. v. Berezovs'ka, 2017 ONSC 5541 (Div. Ct.)* (CanLII) [*Berezovs'ka*]. In that decision, the Divisional Court ruled, at paragraph 8:

Lack of due 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.

5. I accept that the Tenant was ill around the time of the hearing. However, the issue is not simply whether the Tenant was ill. The issue is whether the Tenant has established, on a balance of probabilities, that she was not reasonably able to participate in the March 3, 2026, hearing. I find that she has not met that burden.
6. The Tenant received the notice of hearing. She initially recorded the correct date in her agenda. She also received the Landlord's evidence before the hearing. The hearing was scheduled because of a motion the Tenant herself had filed to set aside an *ex-parte* order terminating the tenancy. In those circumstances, the Tenant was required to exercise diligence in tracking the hearing date and ensuring that she attended.
7. I do not find the Tenant's evidence sufficient to establish that she was prevented from participating in the hearing. The Tenant did not provide persuasive medical evidence establishing that she could not attend or participate by telephone or video conference at the time of the hearing. Her own evidence was that her virtual clinic appointment on March 3, 2026, took place in the evening.
8. I also find it relevant that the Tenant took no steps before the hearing to contact the Board, the Landlord, or the Landlord's legal representative to advise that she was unable to attend. The Tenant had the Board's contact information and had received correspondence from the Landlord's legal representative. The Tenant was also aware that this was a Board proceeding affecting her tenancy.
9. The Tenant alleged that she was ill around the time of the hearing. However, I am not satisfied that the Tenant's illness prevented her from participating in the March 3, 2026, hearing.

10. On the evidence before me, the Tenant's failure to attend resulted from a lack of diligence in dealing with the proceeding. Applying *Berezovs'ka*, I find that this lack of diligence is a sufficient basis to refuse the request to review.
11. Therefore, I find that the Tenant has not demonstrated that she was not reasonably able to participate in the March 3, 2026, hearing. The request to review is denied.

Lifting the stay:

12. At the hearing, the Tenant testified that she is a single parent with two minor children, that she does not have a vehicle, and that she needs time to make arrangements. I have also considered the Landlord's evidence that the Tenant has not made rent payments since the L1 application was filed since September 2025, and that the Landlord continues to suffer financial prejudice from the ongoing delay.
13. In these circumstances, I am not satisfied that it would be fair to delay lifting the stay. As such, the stay of the order is lifted immediately.

It is ordered that:

1. The request to review order LTB-L-004680-26-SA issued on March 6, 2026, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on March 6, 2026, is cancelled. The stay of order LTB-L-004680-26-SA is lifted immediately.

May 1, 2026
Date Issued

Joy Xiao
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.