



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

Citation: 1942586 Ontario Inc. v Dacosta, 2026 ONLTB 34295

Date: 2026-04-27

File Number: LTB-L-094145-25-RV2

In the matter of: UNIT #1 UPPER, 54 Pebble Beach Crt.
Woodstock ON N4S8X2

Between: 1942586 Ontario Inc. Landlord

And

Samantha Dacosta Tenant

Review Order

1942586 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Samantha Dacosta (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-094145-25 issued on January 28, 2026 pursuant to a hearing attending only by the Landlord.

On February 10, 2026, the Tenant requested a review order LTB-L-094145-25.

This review request was resolved by order LTB-L-094145-25-RV issued on April 22, 2026, pursuant to a review hearing held on April 14, 2026 by video-conference at which only the Tenant attended. LTB-L-094145-25-RV granted the Tenant's review request and dismissed the Landlord's application.

On April 24, 2026, the Landlord requested a review of the order LTB-L-094145-25-RV.

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

Determinations:

1. The Landlord submits they were unable to reasonably participate in the review hearing on April 14, 2026 as they were out of the country when the hearing date was set and remain out of the country until May, 2026. They additionally submit that at times the internet in their location is insufficient to use zoom software if the weather is bad, and that the Board should have relied on the information the Landlord previously provided to the Board.
2. The Landlord does not specify in their request that they were unaware of the hearing, nor that they tried to attend the hearing but were unable to. The Landlord only states they are

out of the country and that sometimes the internet in the country they are in is not sufficient to support attending a zoom video-conference if the weather is poor.

3. Being out of the country is an inadequate explanation for not attending a video-conference hearing. The Landlord does not state that they made efforts to attend the hearing, but were unable to due to poor internet. The Landlord only specifies that the internet is sometimes poor in the unspecified country they are currently in. The Landlord also provides no explanation as to why they could not call into the hearing by telephone.
4. Parties are obligated to attend a hearing to present their evidence and make submissions to the Board. It is not the role of the Board to present evidence and make submissions on a parties' behalf based on their filings when they do not attend a hearing.
5. Rule 26.8.e. of the Board's Rules of Procedure states that a request to review an order must provide 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. The Landlord has not provided sufficient information to support a preliminary finding that they were not reasonably able to participate in the hearing.
6. On the basis of the submissions made in the request, I am not satisfied that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-094145-25-RV issued on April 22, 2026 is denied. The order is confirmed and remains unchanged.

April 27, 2026
Date Issued

Benjamin Seigel
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.