



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

File Number: LTB-T-075942-23-RV

In the matter of: 36 Criscoe St
York ON M6N3Y9

Between: David M. Gibson Tenant

And

Helen Zhong Landlord

Review Order

David M. Gibson (the 'Tenant') applied for an order determining that Helen Zhong (the 'Landlord') gave a notice of termination in bad faith (hereafter referred to as the 'T5 Application').

The T5 Application was first heard on July 8, 2024, and resolved by the order LTB-T-075942-23, issued on October 28, 2024.

On November 27, 2024, the Landlord requested a review of the order LTB-T-075942-23, issued on October 28, 2024, as they alleged that a serious error occurred in the proceedings or the corresponding order.

On December 11, 2024, the interim order LTB-T-075942-23-RV-IN was issued, staying the order LTB-T-075942-23, issued on October 28, 2024.

The request to review was heard on March 11, 2025. Pursuant to the interim order LTB-T-075942-23-RV-IN-2, issued on March 18, 2025, the Landlord's request to review the order LTB-T-075942-23, issued on October 28, 2024, was granted, and the T5 Application was directed to be re-heard.¹

The T5 Application was re-heard by videoconference on April 27, 2026.

Only the Landlord's Legal Representative, Agatha Small, attended the hearing.

As of 1:30pm, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB on March 24, 2026. There was no record of a request to adjourn the hearing.

¹ Rule 26.16 of the Board's *Rules of Procedure*.

Determinations:

1. Since the Tenant did not attend the hearing to support their T5 Application, I find that this T5 Application has been abandoned.

It is ordered that:

1. The interim order LTB-T-075942-23-RV-IN, issued on December 11, 2024, is cancelled.
2. The order LTB-T-075942-23, issued on October 28, 2024, is replaced with the following:
3. The Tenant's T5 Application is dismissed.

May 4, 2026
Date Issued

Alexandre Traboulsi
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.