



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-082044-24

In the matter of: 506 The Queensway South
Keswick ON L4P2E4

Between: Carl Kenneth Schwantz Tenant
Deborah Schwantz
Karla Schwantz

And

Wei Hong (Selina) Luo Landlord
Yin Lin Qiu

Carl Kenneth Schwantz, Deborah Schwantz and Karla Schwantz (the 'Tenant') applied for an order determining that Wei Hong (Selina) Luo and Yin Lin Qiu (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

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

The Tenant, the Tenant's Legal Representative Daphanie Tremblay, the Landlord, and the Landlord's Legal Representative Agatha Small attended the hearing.

Procedural History:

1. The Tenant's application was adjourned from an Adjudicative Case Conference on September 25, 2025.
2. The Board issued an interim order on November 5, 2025, with the directions for the Tenant to serve and organize their disclosure materials.

Preliminary Issue:

1. At the commencement of the hearing, the Tenant's Legal Representative Ms. Tremblay advised that she was unable to confirm where the disclosure had been sent and could not establish that proper service had occurred in accordance with the interim order issued by Member Anwar-Ali on November 5, 2025.

2. She advised that either an adjournment would be requested to address the issue, or the Landlord would proceed without relying on the disclosure materials.
3. The Landlord's Legal Representative Ms. Small opposed any adjournment request and submitted that:
 - the disclosure uploaded to the portal was not organized and did not comply with the interim order.
 - the disclosure requirements imposed by the previous Member had not been followed
 - the Landlord did not receive proper disclosure in compliance with the Board's direction.
4. She submitted that the application should be dismissed for the Tenant failing to comply with the Board's interim order issued on November 5, 2025.
5. I find that the interim order was clear, such orders are not optional. They are binding directions of the Board and must be followed.
6. When I examine the interim order issued on November 5, 2025, in paragraphs 4 and 5, it states:

4. The parties are directed to give to each other and to the LTB any evidence that has not already been disclosed/does not comply with the Practice Direction and that relates to the original application by the following dates. This includes any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing. - - The Tenant's disclosure is due to the Landlord and the Board on or before November 20, 2025. The Landlord's disclosure is due to the Tenant and the Board on or before November 30, 2025.

5. Disclosure evidence shall be organized in accordance with the Board's Practice Direction on Evidence: a. All documents, photographs and other items provided to the other parties and the LTB as evidence must: i. be readable; ii. iii. have consecutively numbered pages; and include a list or table of contents identifying each item in order, and by page number, if more than one item is being submitted.
7. The as the moving party, bears the responsibility of advancing the application and complying with the Board's procedural directions. Ms. Trembley's position that someone may have reviewed some disclosure is insufficient. Compliance with a Board order requires actual proof of service and compliance with the specific terms of the order, not assumptions or uncertainty.
8. Further, a hearing is not to take place by ambush style, making incumbent on the Tenant to disclose particulars well in advance of the hearing, not at the hearing. Accordingly, this allows the Landlord and the Board an understanding of what issues are being alleged.

9. I accept the Landlord's submission that the disclosure requirements were not met. The Tenant was unable to provide proof that disclosure had been properly served on the Landlord's representative in the organized manner required by the interim order.
10. The Landlord's right to know the claims being made against them and providing the Landlord the adequate opportunity to know the issues in a timely manner, outweighs the prejudice to the Tenant who had ample opportunity to perfect their T6 Application during the life cycle of this matter.
11. Lastly, this matter has been pending for approximately 17 months. Significant time has already passed without the Tenant meaningful steps being taken to properly advance the application.
12. In keeping with section 183 of the *Residential Tenancies Act* it directs me to adopt the most expeditious method of determining the questions arising in a proceeding that affords all person directly affected by the proceeding an adequate opportunity to know the issues and to be heard on the matter.
13. For all of these reasons, I deny the adjournment request. In reaching this determination, I have considered the procedural history of the matter, the Tenant's failure to comply with the interim order, and the lack of any meaningful steps taken to advance the application over a period of nearly 17 months. Despite having sufficient time and opportunity to address the deficiencies in their application and to move the matter forward, the Tenant has failed to do so. Granting an adjournment in these circumstances would not be consistent with the principles of procedural fairness and would also result in further delay and prejudice to the Landlord, who is entitled to know the case they must meet. Accordingly, I find that an adjournment is neither warranted nor justified in the circumstances.
14. As a result, the Tenant's T6 application shall be dismissed

It is ordered that:

1. The Tenant's application is dismissed.

May 19, 2026
Date Issued

Anthony Bruno
Member, Landlord and Tenant Board

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