



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

File Number: LTB-L-108169-25-RV

In the matter of: 59, 131 ROCKWOOD AVE
ST CATHARINES ON L2P3K4

Between: Block Properties Niagara Landlord

And

Danielle Ryan Tenant

Review Order

Block Properties Niagara (the 'Landlord') applied for an order to terminate the tenancy and evict Danielle Ryan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-108169-25 issued on March 13, 2026.

On March 19, 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 20, 2026 interim order LTB-L-108169-25-RV-IN was issued, staying the order issued on March 13, 2026.

This application was heard by videoconference on May 12, 2026.

The Landlord's legal representative Jessica Travers and the Tenant attended the hearing.

Determinations:

Request for Review

1. The Tenant filed a Request for Review on the basis that they were unable to reasonably participate in the original hearing.
2. The Tenant testified that she was aware of the original hearing date of March 4, 2026, having received the Notice of Hearing in advance. She stated that on February 13, 2026, she attempted to enter the rental unit but found that her keys were not functioning. The Tenant further testified that she made attempts to regain access to the unit and was ultimately able to do so on March 9, 2026, with the assistance of the Rental Housing Enforcement Unit.

3. The Tenant's position is that the Notice of Hearing was left inside the rental unit, which she could not access at the time of the hearing. However, when asked whether she attempted to contact the Landlord or the Board to obtain the necessary login details, the Tenant acknowledged that she took no proactive steps to secure this information or to participate in the hearing.
4. In *Q Res IV Operating CP Inc. v. Berezovska*, 2017 ONSC 5541, the Court held that "[i]f parties are not diligent in dealing with legal proceedings, then they cannot demand that a Tribunal expend its resources by rehearing matters a second time. To permit this would undermine the administration of justice and its ability to deliver timely, cost-effective, and final decisions."
5. In this case, the Tenant was clearly aware of the scheduled hearing date, having admitted receipt of the Notice of Hearing well in advance of March 4, 2026. Despite this, she took no steps to obtain the required login information, nor did she provide any supporting evidence to substantiate her claim that she was locked out of the rental unit and unable to access the login information.
6. Based on the submissions and evidence made in support of the Request for Review, I am not satisfied that the Tenant was unable to reasonably participate in the proceeding. With minimal diligence, the Tenant could have taken steps to attend the hearing and advance her position. Accordingly, I find that the Tenant did not act with the level of diligence required in the circumstances, and the review must be denied.
7. I find it appropriate to lift the stay on June 15, 2026, which ought to provide the Tenant ample opportunity to preserve the tenancy or find alternative accommodations.

It is ordered that:

1. The request to review order LTB-L-108169-25 issued on March 13, 2026 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on March 20, 2026 is cancelled. The stay of order LTB-L-108169-25 is lifted on June 15, 2026.

May 22, 2026

Date Issued

Brett Lockwood

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.