



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

Citation: Khan v Adair, 2026 ONLTB 40095

Date: 2026-05-19

File Number: LTB-L-008053-26-RV

In the matter of: 15 Glendan Crt
Cambridge ON N1R7N4

Between: Nasar Ullah Khan Landlord

and

Cody Thomas Adair
Theresa Alina Soares
Denise Marie Matte
Sylvain Matte Tenants

Review Order

Nasar Ullah Khan (the 'Landlord') applied for an order to terminate the tenancy and evict Cody Thomas Adair, Theresa Alina Soares, Denise Marie Matte and Sylvain Matte (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-008053-26 issued on April 21, 2026. Only the Landlord's Legal Representative, Shalini Puri, attended the hearing.

On May 19, 2026, the Tenant, Theresa Sores, requested a review of the order.

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

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied that the Tenant, Theresa Sores ('TS'), was not reasonably able to participate in the proceeding. TS has provided insufficient information to support the request.
2. In *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) (CanLII), the Divisional Court affirmed that a person who requests a review of an order must give "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", per Rule 26.8 of the Board's Rules of Procedure.

3. There are no submissions in the review request explaining why TS failed to attend the hearing of the Landlord's application. Even if I accept TS' statement that she was in early labour for three weeks and on bed rest, three weeks prior to May 11, 2026 was well after the hearing took place. There are no details in the request to support the claim that TS was not reasonably able to participate in the hearing on April 7, 2026.
4. TS writes in the review request that they have been actively looking for new living arrangements and would like additional time to find a new place to live. While I am mindful of the submissions, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) that relief from eviction under section 83 does not have a second, independent applicability at the review stage of the Board's review process. TS' opportunity to introduce relevant evidence of their circumstances was at the April 7, 2026 hearing. The review submissions about their circumstances are therefore not good cause to review the April 21, 2026 order or to re-hear the application.
5. Similarly, while TS seeks to raise their own issues, that is not an error of the Board or good cause to re-hear the application. The opportunity to submit evidence and make submissions was at the hearing, not at the review stage of the proceedings. If the Tenants have their own issues they seek to raise, they bring their own application against the Landlord to address these issues.
6. For the foregoing reasons, I am not satisfied that TS was not reasonably able to participate or that there is a serious error in the order. Accordingly, the request to review the order must be dismissed.

It is ordered that:

1. The request to review order LTB-L-008053-26 issued on April 21, 2026 is denied. The order is confirmed and remains unchanged.

May 19, 2026
Date Issued

Candace Aboussafy
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.