



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

File Number: LTB-L-017231-26-RV

In the matter of: 1404, 199 QUEEN MARY DR
OAKVILLE ON L6K3K7

Between: Homestead Land Holdings Limited Landlord

And

Saud Botan Tenant

Review Order

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Saud Botan (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has willfully or negligently caused damage to the premises.
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has willfully caused undue damage to the premises.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex used the rental unit or the residential complex in a manner that is inconsistent with use as a residential premises and that has caused or can be expected to cause significant damage.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the building has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord in a building that has three or fewer residential units and the Landlord resides in the building.

The Landlord also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

This application was resolved by order LTB-L-017231-26 issued on May 11, 2026. Only the Landlord's representative attended the hearing. The Tenant was not present nor represented at the hearing, although properly served with notice of the hearing by the LTB.

On May 15, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file.

Determinations:

1. The Tenant filed a request to review alleging they were unable to participate at the original hearing date. The Tenant's request states that he "was unable to attend the hearing and did not intentionally miss it". The Tenant requests an opportunity to explain his situation.
2. The Board's records indicate that the Notice of Hearing was sent to the rental unit on February 26, 2026. This mail was not returned as undelivered. Additionally the order dated May 11, 2025 was sent to the rental unit by mail. The order also was not returned as undelivered.
3. Rule 26.8(e) of the Board's Rules of Procedure states that the Tenant must provide a detailed explanation of why they were not reasonably able to participate in the hearing. This review request lacks an explanation.
4. As stated by the Court in *Q Res IV Operating CP Inc. v. Berezovska* [2017 ONSC 5541](#), "[I]f parties are not diligent in dealing with legal proceedings then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely cost-effective and final orders.
5. On the basis of the submissions made in the request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-017231-26 issued on May 11, 2026 is denied. The order is confirmed and remains unchanged.

May 20, 2026
Date Issued

Julie Broderick
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.