



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

Citation: ATANEL v SMITH, 2026 ONLTB 38979

Date: 2026-05-25

File Number: LTB-L-018612-26-RV

In the matter of: 1, 404 SANDYS ST
CHATHAM ON N7L4C9

Between: DAVID ATANEL Landlord

And

WINONA SMITH Tenant

Review Order

DAVID ATANEL (the 'Landlord') applied for an order to terminate the tenancy and evict WINONA SMITH (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-018612-26 issued on May 20, 2026.

On May 24, 2026, the Landlord requested a review of the order.

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

Determinations:

1. The Landlord alleges that they were not reasonably able to participate in the proceeding. More specifically, the Landlord states that they had a viral illness on the hearing date which caused them to have severe coughing, weakness, and difficulty speaking and communicating. The Landlord also states that they were outside the country on the hearing date, however, this does not appear to be relevant as the hearing was electronic and could be attended from anywhere in the world.
2. While I can appreciate that the Landlord's illness may have posed some difficulty to participating in the hearing, I am not persuaded that the Landlord could not have attended the electronic hearing to address the matter or request an adjournment.
3. As a result, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-018612-26 issued on May 20, 2026 is denied. The order is confirmed and remains unchanged.

May 25, 2026
Date Issued

Richard Ferriss
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.