



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

Citation: 1054399 Canada Inc. v Reis, 2026 ONLTB 41694

Date: 2026-05-25

File Number: LTB-L-015699-26-RV

In the matter of: 1506, 300 INLET PVT
ORLEANS ON K4A5S2

Between: 1054399 Canada Inc.

Landlord

And

Ana-Julia Reis
Joseph William Anthony Campeau-Busat

Tenants

Review Order

1054399 Canada Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Ana-Julia Reis and Joseph William Anthony Campeau-Busat (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-015699-26 issued on May 15, 2026. A hearing was held on May 11, 2026 and the Tenants did not attend.

On May 22, 2026, the Tenants requested a review of the order.

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

Determinations:

1. In the review request, the second named Tenant said they were not reasonable able to participate at the hearing and cites various medical reasons that impacted her “ability to function normally”. The Tenant said she can produce supporting documentation.
2. Additionally, the Tenant said the first named Tenant did not attend the hearing but was “unexpectedly required to attend an in-person work-related conference the same day...”
3. As a result of their absence, the Tenants also claim serious errors in the order related to the Landlord’s accounting, payments and errors in the termination notice. The Tenants also state they intended to raise s.82 issues at the hearing.
4. On the basis of the submissions made in the request, 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 Tenants were not reasonably able to participate in the proceeding.

5. With respect to the medical claims, 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.
6. The Divisional Court in *Wang v. Oloo*, 2023 ONSC 1028 (‘Wang’) considered the information required from a doctor’s note to support a finding that an adjournment was necessary. While this case involves a request for review not an adjournment request, I still find *Wang* informative about the type of information required about a medical condition to support a finding that someone cannot participate in a hearing. The Court states that doctor’s notes must contain sufficient information to enable the Court to exercise its own judgment as to whether the adjournment should be granted. The Court elaborates that this at a minimum should include a description of a diagnosis and other criteria not directly relevant to this review request.
7. The submissions in the review request are vague. The Tenant states that on the hearing date, they were not physically or mentally capable of properly participating in the proceeding. The hearing was scheduled in a morning block and held virtually, and based on the Tenant’s submissions, it is not clear that the Tenant could not have taken steps to attend the hearing or notify the Board that the Tenant required an adjournment. The Tenant did not provide a doctor’s note to support that a medical emergency occurred, nor has the Tenant provided any information identified as being required by the Court in *Wang*.
8. With respect to the other Tenant’s work commitments, the Board’s Notice of Hearing explains to parties the requirement and options to attend a hearing and consequences for failure to do so.
9. The Tenant’s choice to attend work rather than a hearing is not good cause to review an order.
10. My finding is consistent with the Board’s approach in the following cases in which choosing to attend work rather than attending a hearing was found not to be grounds for review: TEL-82989-17-RV (Re), 2017 CanLII 84863 (ON LTB), TSL-75156-16-RV (Re), 2017 CanLII 28808 (ON LTB), and TNL-56542-14-RV (Re), 2014 CanLII 57970 (ON LTB). I note that in TEL-87603-18-RV-IN2 (Re), 2018 CanLII 111773 (ON LTB) the Board found that a tenant who left a hearing because her workplace needed her to cover for an unexpectedly ill employee was not reasonably able to participate in the hearing. However, that case is distinguishable from the case before me because it involved an unexpected illness.
11. Here the Tenant chose to attend a conference. The Tenant could have attended the virtual hearing by phone to explain her circumstances and seek an adjournment but opted not to show up. The Tenant had meaningful choices and to simply not attend a

scheduled hearing, as per the non-binding LTB case, in my view, does not warrant a re-hearing of the Landlord's application.

12. The Tenants' claim that the order contains a serious error is unfounded. The time to challenge the Landlord's ledger and notices or seek relief from eviction was at the original hearing. The Member made a determination based on the evidence presented at the hearing. It therefore is not an error to arrive at the ultimate outcome in the absence of further evidence.
13. The Tenants' claim that they intended to raise s.82 issues is not supported by the Board record. Had the Tenants intended to raise these issues, they were required to serve the Landlord and file copy with the Board. The record does not contain any s.82 issues filed by the Tenants.
14. Although the Tenants disagree with the May 11, 2026 Board order, the Board's review process is not an opportunity for a party to re-argue a matter that has been finally determined, with the hope of achieving a different result. Here, having not shown that the Tenants were not reasonably able to participate in the hearing, or that an error exists in the May 15, 2026 order, I conclude that the Tenants' review request must be denied.

It is ordered that:

1. The request to review order LTB-L-015699-26 issued on May 15, 2026 is denied. The order is confirmed and remains unchanged.

May 25, 2026
Date Issued

Dana Wren
Member, Landlord and Tenant Board

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