



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

Citation: Polish Canadian Centre Association of Windsor v Deschamps, 2026 ONLTB 41750

Date: 2026-05-25

File Number: LTB-L-017193-26-RV

In the matter of: 1695 POLONIA PARK PL
WINDSOR ON N8Y4V6

Between: Polish Canadian Centre Association of Windsor Landlord

And

Jessica Deschamps Tenant

Review Order

Polish Canadian Centre Association of Windsor (the 'Landlord') applied for an order to terminate the tenancy and evict Jessica Deschamps (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-017193-26 issued on May 12, 2026. A hearing was held on May 6, 2026 and the Tenant did not attend the hearing.

On May 23, 2026, the Tenant 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 Tenant does not state she did not receive the Notice of Hearing. Rather, she said that she “assumed Polonia had accepted my resolution proposal” and a “lapse in communication”.
2. The balance of the review request seeks relief from eviction by way of a payment plan.
3. On the basis of the submissions made in the request, I am not satisfied that that the Tenant was not reasonably able to participate in the proceeding.
4. The Tenant was aware of the hearing and opted not to attend, assuming that the Landlord’s non-response to her proposed payment plan was an acceptance.
5. In *Q Res IV Operating GP Inc. v. Berezovs’ka*, 2017 ONSC 5541 (Div. Ct.) (CanLII), the Divisional Court affirmed that parties to an application must exercise reasonable diligence to participate in a Board proceeding. This includes attending a hearing on the

scheduled date.

6. The Tenant did not exercise due diligence with respect to the scheduled hearing. She simply chose not to attend and assumed the Landlord has accepted the terms she proposed. The Board did not issue any further Notice that the hearing had been cancelled. In my view, it would have been reasonable for the Tenant to attend the hearing to confirm the status.
7. The Tenant has accordingly not demonstrated that she exercised reasonable diligence to attend and participate in the Board hearing.
8. Based on the above, I conclude that the Tenant has not shown good cause to review the May 12, 2026 order. The Tenant did not show that she was not reasonably able to participate in the May 6, 2026 hearing, or that she exercised reasonable diligence in the circumstances to attend the hearing. The request to review the order will therefore be denied.

It is ordered that:

1. The request to review order LTB-L-017193-26 issued on May 21, 2026 is denied. The order is confirmed and remains unchanged.

May 25, 2026
Date Issued

Dana Wren
Member, Landlord and Tenant Board

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