



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

File Number: LTB-L-071019-25-RV

In the matter of: 814, 3434 EGLINTON AVE E
TORONTO ON M1J2J1

Between: METCAP LIVING PROPERTIES INC.

Landlord

And

Hernando Melgarejo
Philip Melgarejo

Tenant

Review Order

The capitalized word “Landlord” and/or “Tenant” refer to all parties identified as each at the top of the order.

METCAP LIVING PROPERTIES INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Hernando Melgarejo and Philip Melgarejo (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-071019-25 issued on November 7, 2025; the Tenant did not attend.

On February 18, 2026, the Tenant requested a review of the order. and that the order be stayed until the request to review the order is resolved.

On interim order LTB-L-071019-25-RV-IN was issued on February 19, 2026, staying the order issued on November 7, 2025.

This application was heard by videoconference on .

Only the Tenant Philip Melgarejo attended the hearing. I was satisfied that the Landlord had received the Notice of Hearing and there was no request to adjourn before me. Based on this, I proceeded to hear the review at 1:23 p.m..

Determinations:

1. The Tenant's review request is based on not reasonably able to participate process and serious error. Only one reason needs to be established to grant the review.
2. The Tenant testified the review should be granted; the Landlord made a written agreement to cancel the eviction. The Tenant has been back in the unit since April 1, 2026.

3. Based on the submissions made in the request and the uncontested testimony before me, I am satisfied that the Tenant was not reasonably able to participate in the proceeding. The Tenant understood that the eviction hearing was cancelled.
4. Since the Landlord did not appear at the hearing to support their application, I find that this application has been abandoned.

It is ordered that:

1. The request to review order LTB-L-071019-25 issued on is granted. The order is cancelled.
2. The interim order issued on is cancelled.
3. The Landlord's application is dismissed.

June 5, 2026
Date Issued

Diane Wade
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.