



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

Citation: Abiwin Co-operative Inc. v St. Helen Rosario, 2026 ONLTB 44332

Date: 2026-06-03

File Number: LTB-C-025119-26-RV2

In the matter of: M05, 299 SOMERSET ST W
OTTAWA ON K2P2L3

Between: Abiwin Co-operative Inc. Co-op

And

Sebastian St. Helen Rosario Co-op
Member

Review Order

Abiwin Co-operative Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Sebastian St. Helen Rosario (the 'Co-op Member') because the Co-op Member did not pay the regular monthly housing charges that the Co-op Member owes.

This application was resolved by order LTB-C-025119-26 issued on May 15, 2026 pursuant to a hearing held on May 6, 2026 at which only representatives of the Co-Op attended.

On May 19, 2026, the Co-Op Member requested a review of order LTB-C-025119-26. This request for review was resolved by LTB-C-025119-26-RV, issued on May 20, 2026.

On June 3, 2026, the Co-Op Member made a second request for review of order LTB-C-025119-26.

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

Determinations:

1. This is the second review request by the Co-Op Member to review order LTB-C-025119-26. The original order for this matter was issued on May 15, 2026. The Co-Op Member requested a review of that order on May 19, 2026. The Co-Op Member's review request was denied pursuant to LTB-C-025119-26-RV on May 20, 2026.
2. Rule 26.18 of the Board's Rules of Procedure provides as follows: The LTB will not consider a further request to review the same order or to review the review order from the same requesting party. This request constitutes a further request to review the same order from the same requesting party.

3. Rule A4.2 permits the Board to waive the application of any rule. The Board will only do so in extraordinary circumstances. After reviewing the submissions of the Co-Op Member with their request, I find that the circumstances in this case are not sufficiently extraordinary to warrant waiving Rule 26.18.
4. In making this finding I note that the Co-Op Member's original request for review stated they could not gain access to the hearing by phone or online, and the request was denied on the basis of providing insufficient detail in this regard. While the Co-Op Member's submissions with this request provide some detail as to what occurred on the hearing date, these details do not address why the Co-Op Member could not attend the hearing by telephone if they were experiencing technical difficulties doing so via Zoom.
5. The request also states the Co-Op Member received a message from the Landlord at approximately 1:00 p.m. on the date of the hearing, indicating they had phone access on that date. Despite this, the submissions do not address the failure of the Co-Op Member to attend via telephone or reply to the message order LTB-C-025119-26 states was sent by the Co-Op to the Co-Op Member at 9:08 a.m. on the morning of the hearing.
6. While the Co-Op Member makes reference in their submissions to the being locked out of the rental unit pursuant to a process not involving Sheriff enforcement of LTB-C-025119-26, I also do not find this sufficiently extraordinary to waive application of Rule 26.18, as these circumstances do not relate to the subject matter of this application.
7. Accordingly, the Board will not consider the Tenant's second request to review order LTB-C-025119-26.

It is ordered that:

1. The request to review order LTB-C-025119-26 issued on May 15, 2026 is denied. The order is confirmed and remains unchanged.

June 3, 2026
Date Issued

Benjamin Seigel
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.