



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

Citation: Schneider v Bourgoin, 2025 ONLTB 31560

Date: 2026-06-04

File Number: LTB-L-096135-24-RV

In the matter of: 228, 2300 UPPER MIDDLE RD W
OAKVILLE ON L6M0T4

Between: Walter Schneider Landlord

And

Edyta Bourgoin Tenant

Review Order

Walter Schneider (the 'Landlord') applied for an order to terminate the tenancy and evict Edyta Bourgoin (the 'Tenant') because:

- the Landlord has entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

This application was resolved by order LTB-L-096135-24 issued on May 21, 2025.

On May 29, 2025, the Tenant requested a review of the order.

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

This order was intended to be issued on May 30, 2025, but was not released inadvertently.

Determinations:

1. The Tenant's request to review alleges that the Board erred by proceeding with the hearing rather than granting the Tenant's request to adjourn.
2. The Tenant attended the hearing on April 10, 2025. The Tenant requested an adjournment because their legal representative was not available to attend the hearing. The Tenant's request was denied and the hearing proceeded.
3. I am not persuaded that the Board erred in denying the Tenant's request to adjourn as the Tenant did not provide (and has to date not provided) sufficient information to justify the request for an adjournment.

4. The Tenant has not identified the date that they retained their legal representative. Although a letter from the Tenant's legal representative's physician dated March 31, 2025 is on file stating that the Tenant's legal representative is to undergo an invasive medical procedure on the hearing date, there is no information identifying when the Tenant's legal representative first became aware that they would be undergoing a medical procedure. Moreover, the physician's letter does not state what time of day the medical procedure was to occur.
5. The above information was necessary to justify an adjournment. Without this information, it is not known if the Tenant retained their legal representative well in advance or at the last minute. It is also not known if the legal representative new about the medical procedure well in advance (in which case they ought to have declined the retainer and referred the Tenant elsewhere because of their unavailability) or if they only became aware of the medical procedure on March 31, 2025. It is also not known what time of day the medical procedure occurred and whether it was possible for the legal representative to attend the hearing at 9:00 AM. It is also not known whether the medical procedure could have been rescheduled.
6. As a result, 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 Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-096135-24 issued on May 21, 2025 is denied. The order is confirmed and remains unchanged.

June 4, 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.