



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

Citation: 25 BEDFORD ROAD v HIGGINS, 2026 ONLTB 45619

Date: 2026-06-08

File Number: LTB-L-013950-26-RV

In the matter of: 407, 25 BEDFORD RD
TORONTO ON M5R2K1

Between:	25 BEDFORD ROAD	Landlord
And		
	STEVEN HIGGINS IRINA MOURAVLEVA	Tenants

Review Order

25 BEDFORD ROAD (the 'Landlord') applied for an order to terminate the tenancy and evict STEVEN HIGGINS and IRINA MOURAVLEVA (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-013950-26 issued on May 15, 2026. Only the Tenant IRINA MOURAVLEVA attended the hearing.

On June 5, 2026, the Tenant, STEVEN HIGGINS requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. The request for review alleges both a serious error and not reasonably able to participate in the May 7, 2026 proceeding.
2. The Tenant submits that he was not reasonably able to participate in the proceeding due to employment obligations.
3. While I am mindful that being reasonably able to participate must be interpreted broadly, I am not satisfied that the Tenant was not reasonably able to participate in this instance. The Tenant was aware of the hearing and made the conscious choice not to attend because he was at work.
4. In the request, the Tenant provides contradictory submissions. The Tenant submits that Irina Mouravleva (IM), the second named Tenant, did not have written authority to speak

on his behalf, while also submitting that he relied on IM to adequately explain the circumstances surrounding the arrears. I find this supports that the Tenant knowingly chose not to attend the hearing and permitted IM to speak on his behalf. The hearing recording also confirms that IM submitted that she worked with the Tenant and chose to attend the hearing while he did not. While I sympathize with the decision faced by the Tenant between attending work and the hearing, this does not constitute grounds for review.

5. 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 constitute 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).
6. 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 because it involved an unexpected workplace emergency arising from an employee illness.
7. For these reasons, I am not satisfied that the Tenant was not reasonably able to participate in the proceedings.
8. With respect to the allegation that the order contains a serious error, the Tenant submits that IM does not properly speak or understand English and therefore could not adequately make submissions regarding discretionary relief. The Tenant did not attend the hearing to make submissions on any relief sought. Having regard to the submissions made at the hearing, the Member's decision to rely on IM's submissions regarding discretionary relief was reasonable and does not constitute a serious error.
9. The hearing recording reflects that IM understood and spoke English without issue. She provided submissions and answered questions clearly and concisely, and at no time raise any concerns regarding language barriers. Absent a serious error, a review is not an opportunity to reargue a matter in hopes of obtaining a more favourable outcome.
10. Although the Tenant disagrees with the May 15, 2026 order, the Board's review process is not an opportunity for a party to reargue a matter that has been finally determined by the Board.
11. As I am not satisfied that the Tenant was not reasonably able to participate in the proceedings, or that the May 15, 2026 order contains a serious error, the request to review must be denied.

It is ordered that:

1. The request to review order LTB-L-013950-26 issued on May 15, 2026 is denied. The order is confirmed and remains unchanged.

June 8, 2026
Date Issued

Mayra Sawicki
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.