



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

File Number: LTB-L-020312-26-RV

In the matter of: 406, 55 SCOLLARD ST
TORONTO ON M5R0A1

Between: COMAEK PETROCON CORPORATION Landlord

And

MICHAEL ZAVET Tenant

Review Order

COMAEK PETROCON CORPORATION (the 'Landlord') applied for an order to terminate the tenancy and evict MICHAEL ZAVET (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-020312-26 issued on May 20, 2026.

On June 8, 2026, the Landlord requested a review of the order.

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

Determinations:

1. The Landlord did not attend the hearing that occurred on May 13, 2026, and as such the application was dismissed as abandoned.
2. The Landlord's application provides the Landlord's representatives' email address. The Board sent the notice of hearing to that email address. The Landlord submits that they were not reasonably able to participate in the proceeding because their previous representative ceased acting for them and therefore the Landlord did not receive the notice of hearing.
3. On the basis of the submissions made in the request, I am not satisfied that the Landlord was not reasonably able to participate in the proceeding.
4. In *Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 (CanLII) the Court stated:

"Lack of diligence in dealing with court proceedings is a reason for refusing to set aside an order where a party has failed to appear. In other words, it was not an error in law for the Review Board to find that lack of diligence constituted a reason

not to grant the landlord a rehearing. If parties are not diligent in dealing with legal proceedings then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely, cost-effective and final orders.”

5. The Landlord provides no information about when or why their legal representative stopped working for them. The notice of hearing was sent on March 5, 2026 for a hearing that occurred on May 13, 2026. Without information about when the Landlord’s representative stopped working for them the Landlord has provided insufficient information to support that they did not have time to update their contact information with the Board. After the Landlord’s representative stopped working for them either the Landlord or their previous representative should have contacted the Board to inform them of that and to update their contact information. Failing to do so was not diligent.
6. I also note that I find the review request a bit puzzling. The same email address that was provided in the application for the Landlord’s previous legal representative is the email address that the request to review was sent from. Did the Landlord’s legal representative stop working for the Landlord and then return to working for them? There’s also no record in the file that the Landlord’s representative has ever asked to be removed from the record. This also supports that a lack of diligence is the reason that the Landlord did not attend the hearing.

It is ordered that:

1. The request to review order LTB-L-020312-26 issued on May 20, 2026 is denied. The order is confirmed and remains unchanged.

June 10, 2026
Date Issued

Amanda Kovats
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.