



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

Citation: ZHU v UMETSU, 2026 ONLTB 41535

Date: 2026-06-11

File Number: LTB-L-023229-26-RV

In the matter of: 506, 38 AVENUE RD
Toronto ON M8X1V9

Between: YUN ZHU Landlord

And

ROSEMARIE UMETSU Tenant

Review Order

YUN ZHU (the 'Landlord') applied for an order to terminate the tenancy and evict ROSEMARIE UMETSU (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-023229-26 issued on May 29, 2026.

On June 10, 2026, the Tenant 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 Tenant alleges that the order contains a serious error because the L1/L9 Information Update sheet was served 2 days prior to the hearing date rather than in accordance with the Rules.
2. I am not persuaded that this constitutes a serious error because there was no dispute between the parties with respect to the amount of the arrears or any of the other facts on the L1/L9 update sheet. The Tenant's allegation that the late service "deprived the Tenant of the five-day period the Rules guarantee her to review the updated arrears and prepare a response, including documentary evidence challenging the accuracy of the amounts claimed" is disingenuous given that there was no dispute with respect to the information on the L1/L9 update sheet. There was no prejudice to the Tenant because of the late service of the L1/L9 Information Update sheet and I see no error in this regard.
3. The Tenant also alleges that the order contains a serious error because the Landlord's materials were served by email on May 13, 2026 which was not in accordance with the Rules because the Tenant had not provided consent to service by email. The Tenant

acknowledges seeing the disclosure email on May 14, 2026. I am not persuaded that this constitutes a serious error because subsection 191(2) of the Act states:

A notice or document that is not given in accordance with this section shall be deemed to have been validly given if it is proven that its contents actually came to the attention of the person for whom it was intended within the required time period.

4. Since the Tenant acknowledges receiving the documents on May 14, 2026 and this was seven days prior to the hearing date in accordance with the timeframe set out in the Rules, the documents are deemed to have been validly given. In addition, the Tenant has not identified any specific prejudice to them resulting from receiving the Landlord's disclosure by email. Moreover, the facts of this case were not in dispute and the Landlord's disclosure was largely immaterial to the proceeding.
5. The Tenant also alleges in the request to review that the N4 notice of termination was not valid, however, I have reviewed the hearing recording and although the Tenant initially raises concerns with respect to the notice, they subsequently agreed that the notice was accurate and valid. As a result, I see no error in this regard.
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 whether the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-023229-26 issued on May 29, 2026 is denied. The order is confirmed and remains unchanged.

June 11, 2026
Date Issued

Richard Ferriss
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.