



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

Citation: Minovski v MacRae (aslo known as Butson), 2026 ONLTB 47718

Date: 2026-06-16

File Number: LTB-L-064278-24-RV

In the matter of: 3 David Gohn
Markham ON L6E1A7

Between: Katherine Minovski Landlord

and

Cheryl MacRae (aslo known as Butson)
JMac Content Former Tenants

Review Order

Katherine Minovski (the 'Landlord') applied for an order requiring Cheryl MacRae (aslo known as Butson) and JMac Content (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenants owe.

Katherine Minovski (the 'Landlord') applied for an order requiring Cheryl MacRae (aslo known as Butson) and JMac Content (the 'Former Tenants') to pay the Landlord's reasonable out-of-pocket costs that are the result of the Former Tenants' failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

Katherine Minovski (the 'Landlord') applied for an order requiring Cheryl MacRae (aslo known as Butson) and JMac Content (the 'Former Tenants') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenants, another occupant of the rental unit or someone the Former Tenants permitted in the residential complex.

This application was resolved by order LTB-L-064278-24 issued on May 28, 2026.

On June 15, 2026, the Landlord requested a review of the order.

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

Determinations:

1. 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.

2. The LTB's records indicate that the Landlord was emailed the Notice of Hearing from the Board on February 11, 2026. The Landlord does not indicate they never received the Notice of Hearing from the LTB. While the Landlord states that they were not reasonably able to participate because their father suffered a medical emergency, the request does not provide sufficient reasons to explain how they were not reasonably able to participate by calling in from the hospital or asking someone else to call in on their behalf. Additionally, the request does not identify the specific medical condition or otherwise provide details of the medical emergency to explain its impact on the Landlord's ability to participate in the hearing. The Landlord indicates that their spouse was also at the hospital with their father but provides no explanation as to why they were unable to call in, even from the hospital, and request that the matter be rescheduled.
3. Rule 26.8(e) of the Board's Rules of Procedure state that a request to review an order must provide sufficient information to support a preliminary finding of an alleged serious error or an explanation why the requestor was not reasonably able to participate in the hearing. The Landlord has not provided sufficient information to support a preliminary finding that they were not reasonably able to participate.
4. The Landlord states in the request that the Former Tenants were previously granted an adjournment due to a medical emergency and therefore their request to review the order should be granted on this basis. The situations are substantially different in that the Tenant attended the previous hearing and requested an adjournment before the presiding Member. In this case, the Landlord did not attend the hearing at all or send someone to attend on their behalf and request that the matter be rescheduled.
5. In *Lacroix v. Central-McKinlay International Ltd.*, 2022 ONSC 2807 (Div. Ct.) (CanLII) and *Wang v. Oloo*, 2023 ONSC 1028 (Div. Ct.) (CanLII), the Court affirmed that a party must comply with the Board's process to reschedule or adjourn the hearing if the party is not reasonably able to attend and participate in the proceeding. The Landlord's decision to not attend the hearing was not reasonable. Additionally, the Landlord's omission to have a legal representative or agent attend on the hearing date to request an adjournment was also not consistent with the duty to exercise reasonable diligence to participate in a Board proceeding¹.
6. The Landlord has therefore not demonstrated that they were not reasonably able to participate in the Board proceeding. The Landlord's request to review the May 28, 2026 order, and to re-hear the application, must accordingly be denied.

It is ordered that:

1. The request to review order LTB-L-064278-24 issued on May 28, 2026 is denied. The order is confirmed and remains unchanged.

¹ *Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 (Div. Ct.) (CanLII)

June 16, 2026
Date Issued

Candace Aboussafy
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.