



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

Citation: 1948038 Ontario Inc. v Beausoleil, 2026 ONLTB 47851

Date: 2026-06-17

File Number: LTB-L-029153-26-RV

In the matter of: 13, 5 AFTON AVE
WELLAND ON L3B1V6

Between: 1948038 Ontario Inc. Landlord

And

Charmaine Beausoleil Tenant

Review Order

1948038 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Charmaine Beausoleil (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-029153-26 issued on June 16, 2026.

On June 16, 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 and as such the Landlord's application was dismissed as abandoned. The Landlord submits in the review request that their property manager forwarded the notice of hearing and other documents to the Landlord's representative. The Landlord's representative then entered the hearing date as 2027 not 2026 in their case management system, the Landlord's representative's case management system therefore did not alert them on the 2026 date, and the hearing was missed.
2. 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.
3. 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.”

4. The notice of hearing contains the correct hearing date. It was not diligent for the Landlord’s representative to enter the wrong hearing date in their case management system or not to have a system to catch such errors. Additionally, the review request supports that the Landlord was aware of the hearing date as their property manager forwarded the notice of hearing to the representative, yet the review request provides no information about why the Landlord did not attend the hearing. Without more information I’m not satisfied that the Landlord acted diligently either. Did the Landlord check in with their representative before the hearing? Did the Landlord have a good reason to expect that their representative would handle the hearing independently?
5. In *King-Winton v. Doverhold Investments Ltd.*, 2008 CanLII 60708, the Divisional Court found that a party’s confusion over a hearing date could support a finding that they were not reasonably able to participate in the proceeding. However, in that case there was a reasonable explanation for the tenant’s confusion. The Board’s records contained confusing notations about when the hearing was to occur. In this case there is no similar reasonable explanation for the confusion.

It is ordered that:

1. The request to review order LTB-L-029153-26 issued on June 16, 2026 is denied. The order is confirmed and remains unchanged.

June 17, 2026
Date Issued

Amanda Kovats
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.