



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

Citation: Hennessy v McCulloch, 2026 ONLTB 47899

Date: 2026-06-16

File Number: LTB-L-069222-25-RV

In the matter of: 470 11TH ST
HANOVER ON N4N1T1

Between: Michael Hennessy Landlord

And

Morgan McCulloch Tenant

Review Order

Michael Hennessy (the 'Landlord') applied for an order to terminate the tenancy and evict Morgan McCulloch (the 'Tenant') because of substantial interference and wilful or negligent damage. The Landlord also claimed compensation for the use of the unit and for repair or replacement costs of the damage.

This application was resolved by order LTB-L-069222-25, issued on May 20, 2026.

On June 16, 2026, the Tenant requested a review of the order.

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

Reasons:

1. On the basis of the submissions made in the request, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding.
2. The Tenant asserts that she did not attend the hearing of this matter on April 29, 2026, because she mistakenly believed that the case had been closed. She says that she checked the LTB's online portal and the file appeared closed.
3. The Tenant has not explained what she saw on the portal that appeared to indicate that the file had been closed. There is nothing I can see on the portal that would have given that indication. The Tenant had not received a final decision or any other document resolving the application, so there was no reasonable basis for her to believe that the proceeding had ended.

4. Furthermore, the LTB emailed notice of the hearing to the Tenant on April 7, 2026. The email was sufficient to inform the Tenant that the matter was still ongoing and would be heard on April 29.
5. I am satisfied that the Tenant could, with reasonable diligence, have participated in the hearing. The review will be denied.

It is ordered that:

1. The request to review order LTB-L-069222-25, issued on May 20, 2026, is denied. The order is confirmed and remains unchanged.

June 17, 2026
Date Issued

Dale Whitmore
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.