



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

Citation: The Apartment Shoppe v Shoff, 2026 ONLTB 49326

Date: 2026-06-22

File Number: LTB-L-012283-26-RV

In the matter of: 6, 78 STANLEY ST
LONDON ON N6C1B1

Between: The Apartment Shoppe Landlord

And

Morganne Shoff Tenants
Anthony Afara
Wendy Shoff

Review Order

The Apartment Shoppe (the 'Landlord') applied for an order to terminate the tenancy and evict Morganne Shoff, Anthony Afara and Wendy Shoff (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-012283-26 issued on June 9, 2026.

On June 19, 2026, the Tenant, Morganne Shoff, 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.

Determinations:

1. The review request is filed on the basis of not being able to reasonably participate in the April 21, 2026 proceeding.
2. For the reasons that follow, the review request is denied.
3. The Tenant alleges that on the day of the hearing, she suffered a medical episode that made her physically and mentally unable to attend the hearing as a result of her high-risk pregnancy.
4. The review request does not provide sufficient information explaining why the Tenant was unable to participate in a remote hearing that could have been attended by video or telephone. Physical attendance was not required. While I accept that the Tenant may have experienced medical difficulties on the hearing date, the review request is not

supported by any medical documentation establishing that she was unable to participate in the hearing by telephone or video. I also note that there are two other Tenants named in the tenancy who could have attended the hearing or sought an adjournment on behalf of all Tenants. The review request provides no explanation as to why the other Tenants were unable to do so.

5. The Divisional Court has affirmed that parties are required to exercise due diligence in dealing with legal proceedings and a party's failure to do so is not a reasonable basis for rehearing the application (*Q Res IV Operating GP Inc. v. Berezovs'ka*, 2017 ONSC 5541 CanLII (Div. Ct.)).

In *Berezovs'ka*, at para. 8, the Court noted that:

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.

6. Based on the submissions made in the review request, I find that the Tenants did not exercise due diligence to ensure that they, or at least one of them attended the hearing or sought an adjournment. Accordingly, the review request is denied.

It is ordered that:

1. The request to review order LTB-L-012283-26 issued on June 9, 2026 is denied. The order is confirmed and remains unchanged.

June 22, 2026
Date Issued

Mayra Sawicki
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.

