



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

Citation: Equiton Residential Income Fund LP v Zurowski, 2026 ONLTB 51281

Date: 2026-06-29

File Number: LTB-L-032450-26-RV

In the matter of: 212, 200 DENISTOUN ST
WELLAND ON L3C7E5

Between:	Equiton Residential Income Fund LP	Landlord
	And	
	Mark Zurowski Scott Cartledge	Tenants

Review Order

Equiton Residential Income Fund LP (the 'Landlord') applied for an order to terminate the tenancy and evict Mark Zurowski and Scott Cartledge (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-032450-26, issued on June 26, 2026.

On June 29, 2026, the Tenants 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 Tenants were not reasonably able to participate in the proceeding.
2. The hearing was scheduled for June 17, 2026. On June 11, 2026, the Tenants filed a request to reschedule the hearing on the basis that one of them, Mr. Cartledge, had been summoned to attend a court proceeding on June 17.
3. On June 11, 2026, the LTB denied the Tenants' rescheduling request because they had not indicated whether they had sought the Landlord's consent, as required by Rule 21.1. The LTB's endorsement reminded the Tenants that they could request an adjournment at the hearing, or send an agent or representative to request an adjournment on their behalf.
4. The Tenants did not then seek the Landlord's consent to reschedule. Neither Tenant attended the hearing, even though their rescheduling request had only stated that one of

them was unavailable. They also did not send anyone to the hearing to ask for an adjournment on their behalf. The hearing took place in their absence.

5. The Tenants now request a review on the basis that they were not reasonably able to participate in the hearing, stating that they were both required to attend a court proceeding.
6. I am satisfied that the Tenants had reasonable opportunities to participate in the proceedings. They could have sought the Landlord's consent to reschedule; the Tenant Mr. Zurowski could have attended the hearing since he did not, until after the fact, claim to have been unable to attend; or they could have sent an agent to request an adjournment.
7. Having failed to take adequate steps to participate, the Tenants cannot now reasonably claim to have been unable to participate. The review will be denied.

It is ordered that:

1. The request to review order LTB-L-032450-26, issued on June 26, 2026, is denied. The order is confirmed and remains unchanged.

June 29, 2026
Date Issued

Dale Whitmore
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.

