



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

**Citation:** Palma v Bilotta, 2023 ONLTB 31001

**Date:** 2023-04-05

**File Number:** LTB-L-007462-23-RV

**In the matter of:** Basement, 37 Trawley Crescent  
Ajax Ontario L1S5X9

**Between:** Joanne Palma Landlord

**And**

Josephine Bilotta Tenant

### Review Order

Joanne Palma (the 'Landlord') applied for an order requiring Josephine Bilotta (the 'Tenant') to pay the rent that the Tenant owes.

This application was resolved by order LTB-L-007462-23 issued on March 27, 2023. The original hearing was held by video conference on March 15, 2023. Only the Landlord attended the hearing. At 10:05 am, the Tenant was not present nor represented at the hearing and the matter proceeded as uncontested.

On March 28, 2023, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

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 a serious error occurred in the proceedings, or that the Tenant was not reasonably able to participate in the proceeding.
2. The Tenant in the request to review the order claims that they did not receive the Zoom link to access the hearing. The Tenant asserts that they contacted the LTB by email reply, the message to the Tenant was that hearing "were delayed 7-8 months." The Tenant also claims that the Zoom link was not available in the TOP file.
3. In the request to review, the Tenant does not indicate they did not receive the Notice of Hearing, rather that they did not receive a Zoom link.
4. The Board record shows that the Tenant was emailed the Notice of Hearing on February 9, 2023. There is no indication in the Board record that the email was not received by the Tenant.



5. I note, the Notice of Hearing is held in the TOP file and accessible to the Tenant. The Notice of Hearing contains all relevant details and instructions with respect to the March 15, 2023 hearing, including the Zoom virtual link as well as a toll free telephone option.
6. In the Tenant's request to review, the Tenant, at no time, indicated they did not receive the Notice of Hearing, only that the Tenant could not locate the virtual link to participate. However, the Tenant never indicated if they attempted to use the telephone number provided in the notice nor if this option would pose a challenge. In my view, that would be a reasonable course of action that the Tenant failed to undertake.
7. Under these circumstances, I am not satisfied that the Tenant was not reasonably able to participate in the proceedings or that a serious error occurred in the proceedings.

**It is ordered that:**

1. The request to review order LTB-L-007462-23 issued on March 27, 2023 is denied. The order is confirmed and remains unchanged.

**April 5, 2023**  
**Date Issued**

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Dana Wren  
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.