



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

Citation: DHINGRA v SHAMSHIRI, 2026 ONLTB 2434

Date: 2026-01-05

File Number: LTB-L-013667-25-RV

In the matter of: 981 LILLIAN STREET
TORONTO ON M2M3E8

Between: HANS DHINGRA Landlord
TRIPTA DHINGRA

And

NAZILA SHAMSHIRI Tenant
RAMEZAN SHAMSHIRI

Review Order

HANS DHINGRA and TRIPTA DHINGRA (the 'Landlord') applied for an order to terminate the tenancy and evict NAZILA SHAMSHIRI and RAMEZAN SHAMSHIRI (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was resolved by order LTB-L-013667-25 issued on November 27, 2025.

On January 2, 2026, the Landlord requested a review of the order.

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

Determinations:

1. The request to extend time to file a review is granted. However, the review itself is denied.
2. The Landlord's application was dismissed because the Board was not satisfied that the Landlord genuinely and in good faith intends for their son to move into the rental unit. That determination was made in part based on testimony provided by the Landlord's son that he has recently purchased a property 55 minutes away from the Landlord. That testimony did not align with the Landlord's submission that his son wants to move into the rental unit to be near him. The Landlord submits that the order should be reviewed because the Landlord's son was not prepared to testify, had no advance notice that he would be doing so, and only testified because the Board Member suggested it would be better to hear from him. The Landlord also submits that there is additional information not

considered by the Board about the property recently purchased by the Landlord's son and that information could change the outcome of the hearing.

3. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
4. If the Landlord's son was not prepared to testify, the Landlord could have sought an adjournment or asked that the matter be briefly held down. The Landlord did neither. A review is not an opportunity to reargue an application that has been finally determined or to change how a case was presented. I have listened to the portion of the hearing recording where the Landlord's son testified. There is nothing in the recording that supports that the Landlord was denied procedural fairness. The Landlord's son understood the questions asked of him and was shown an email when he was asked about it. The Landlord's son previously filled out a declaration about his intentions for the rental unit and therefore the subject matter of the proceeding was not unexpected.
5. The evidence provided in the review request about the circumstances surrounding the Landlord's son's acquisition of the current property he lives in was not led at the hearing. I am not satisfied that the evidence was unavailable with the exercise of due diligence. If the Landlord wanted to lead more evidence about the surrounding circumstances of the purchase the Landlord could and should have done so at the hearing. The proposed new evidence therefore does not meet the criteria for admittance on review. I am also not satisfied that the proposed new evidence would change the outcome of the hearing because it would not address the Board Member's other concerns about the Landlord's evidence regarding the good faith nature of their intention.

It is ordered that:

1. The request to review order LTB-L-013667-25 issued on November 27, 2025 is denied. The order is confirmed and remains unchanged.

January 5, 2026
Date Issued

Amanda Kovats
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.