



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

Citation: Kaur v Singh, 2026 ONLTB 3860

Date: 2026-01-09

File Number: LTB-T-084122-25-RV

In the matter of: 54 Hollybush Street
Brampton ON L6R1A6

Between: Ravinder Kaur Applicant

And

Harjinder pal Singh Respondent

Review Order

Ravinder Kaur (the 'Applicant') applied for an order determining that Harjinder pal Singh (the 'Respondent'):

- collected or retained money illegally (T1 application)
- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Applicant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Applicant.
- withheld or interfered with their vital services or care services and meals in a care home (T2 application).
- failed to meet the Respondent's maintenance obligations under *the Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards (T6 application).

This application was resolved by order LTB-T-084122-25 issued on January 5, 2026.

On January 7, 2026, the Applicant requested a review of the order.

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 there is a serious error in the order.
2. The application was dismissed because the Board determined that the *Residential Tenancies Act, 2006* ('the Act') does not apply because of the exemption found at section

5(i) of the Act regarding living accommodation whose occupant or occupants are required to share a bathroom or kitchen facility with the owner.

3. In the review request the Applicant repeats the argument they made at the hearing that the Landlord does not live at the rental property. The Applicant does not explain what errors the Board made in its analysis in rejecting that argument. A review is not an opportunity to reargue an application that has been finally determined. The Board's finding that the Act does not apply is rationally connected to the evidence led at the hearing and there are sufficient and reasonable reasons explaining the result. As such, I am not satisfied that the Board made any serious errors in arriving at the determination that the Act does not apply.
4. The Tenant seeks to introduce new evidence on review. That evidence is police officer notes from various incidents at the property. I am not satisfied that the proposed new evidence meets the test for admittance on review for two reasons. First, I am not satisfied that with the exercise of due diligence the evidence could not have been available at the hearing. The Applicant provides no information about when they requested the police notes. The Applicant also could have summons the police officers who wrote the notes to be witnesses at the hearing but did not do so. Second, I'm not satisfied that the notes would change the outcome of the hearing. The notes are hearsay evidence and it is not clear why it would be preferred over the direct testimony of the applicant and respondent. If the Applicant wished to call direct testimony from the police officers, the Applicant could and should have summons them to the hearing. Additionally, that the police characterized the relationship between the parties as a landlord and tenant relationship is not particularly probative. It would have been an error for the Board to substitute its own decision making for the police's. The Board had to make its own determination regarding the relationship between the parties.

It is ordered that:

1. The request to review order LTB-T-084122-25 issued on January 5, 2026 is denied. The order is confirmed and remains unchanged.

January 9, 2026
Date Issued

Amanda Kovats
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.