



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-045562-25

In the matter of: 1608, 40 GODSTONE RD
NORTH YORK ON M2J3C7

Between: Fareshta Ghanikhil Tenants
Samandar Mahmodi

And

Fidelity Property Management Landlords
Derek Chan
Youbert Ashoori

Fareshta Ghanikhil and Samandar Mahmodi (the 'Tenants') applied for an order determining that Fidelity Property Management, Derek Chan and Youbert Ashoori (the 'Landlords') :

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenants. (T2 Application)
- failed to meet the Landlord'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 came before the LTB by way of Adjudicative Case Conference (ACC) and was conducted by videoconference on January 21, 2026.

Only the Landlord's legal representative, Sabrina Marchionne and the Landlord, Derek Chan attended the hearing.

As of 9:22 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

Determinations:

1. Since the Tenants did not attend the ACC to support their application, I find that this application has been abandoned.

It is ordered that:

1. The Tenants' application is dismissed.

February 2, 2026

Date Issued

Christina Philp

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.