



Order under Section 31 Residential Tenancies Act, 2006

Citation: Motwani v Singh, 2026 ONLTB 12227

Date: 2026-02-09

File Number: LTB-T-053012-24

In the matter of: 3714, 88 Bloor St East
Toronto ON M4W3G9

Between: Amitabh Mohan Motwani Tenant

And

Maple Leaf Property Management Landlord

Amitabh Mohan Motwani (the 'Tenant') applied for an order determining that Maple Leaf Property Management (the 'Landlords'):

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

Amitabh Mohan Motwani (the 'Tenant') applied for an order determining that Maple Leaf Property Management (the 'Landlord') 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.

This application was heard by videoconference on November 10, 2025.

The Landlord's Legal Representative Leo Corsetti, the Landlord's Agent David Pruss and the Tenant attended the hearing.

Determinations:

1. At the conclusion of the hearing, the application was dismissed. These are my reasons.
2. The Landlord requested that Kumar Singh be removed as a party to the application because they are an employee of the Landlord.
3. The Tenant consented.
4. Therefore, Kumar Singh is removed and the style of cause amended accordingly.

5. The Landlord requested that the application be dismissed because the application filings are incomplete. The Tenant has not uploaded to the Portal and served on the Landlord Schedule A and B listed in the application.
6. The Landlord submitted that at the Adjudicative Case Conference held on May 13, 2025, that these documents were noted as missing and that the Tenant had been directed to upload to the Portal and serve on the Landlord; something they have not done. See DOC-5621391.
7. The Tenant opposed this request. They stated that they have submitted all the evidence that they intend to rely upon in this proceeding.
8. Instead, they stated that due to their health, they have not been able to retain and instruct a legal representative and requested an adjournment to do so.
9. The Tenant stated that the legal representative they have retained was not present at this hearing because they are busy, and that is why they did not also attend the Adjudicative Case Conference.
10. The request for an adjournment was denied.
11. The Board's Interpretation Guideline 1 sets out the Board's general guidance for adjournments in these circumstances.

Where the Member is satisfied that the party has received sufficient notice of the hearing and has been provided with an adequate opportunity to prepare their evidence and submissions, summons witnesses and obtain counsel ahead of the hearing date, an adjournment is not usually granted unless there are exceptional circumstances.

Section 10 of the SPPA states that a party may be represented by a representative at a hearing. However, the right to representation is not absolute and an adjournment is not automatically granted when it is requested on this ground. The onus is on the party wishing to be represented to make all reasonable efforts to find a lawyer or paralegal able to represent them at the hearing once they become aware of the hearing date.

12. According to the Board's records, the Tenant has been represented throughout these proceedings. They had a named legal presentative listed in the applications. The Tenant's Legal Representative received all of the notices of hearings, and a Welcome Email with Pin for access to this file in the Portal.
13. There is no record that any correspondence sent to the Tenant's Legal Representative had been returned to the Board.
14. There is no record of a request for an adjournment having been submitted by the Tenant's Legal Representative.

15. There is also no record that the Tenant's Legal Representative was no longer or not acting for the Tenant, which if that were the case, they had a legal and ethical obligation to advise the Board and all of the other parties.
16. Natural justice requires that a party is entitled to know the case they have to defend against. It would be unfair to proceed if the missing schedules to the applications were not properly disclosed. They form a part of the application. Without them the Landlord could not be expected to prepare to respond to these unknown allegations.
17. The Tenant had an opportunity to perfect their application after the Adjudicative Case Conference, to file the missing schedules with the Board and to serve them on the Landlord. This was not done.
18. Therefore, the applications could not proceed.

It is ordered that:

1. The Tenant's applications are dismissed.

February 9, 2026

Date Issued

Robert Patchett

Vice Chair, 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.