



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

Citation: Sureshkumar v Patel, 2026 ONLTB 14214

Date: 2026-02-18

File Number: LTB-T-085722-24-RV

In the matter of: 1401, 1635 RICHMOND ST
London ON N6G2M9

Between: Aswin Sureshkumar Tenant

And

Shivam Patel Landlords
Michael Di Donato

Review Order

Aswin Sureshkumar (the 'Tenant') applied for an order determining that Shivam Patel, Craft Property Group and Michael Di Donato (the 'Landlords') collected or retained money illegally.

This application was resolved by order LTB-T-085722-24 issued on January 5, 2026. Only the Landlords attended the original hearing on December 22, 2025.

On January 15, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 19, 2026, interim order LTB-T-085722-24-RV-IN was issued, directing the matter to a review hearing.

This review was heard by videoconference on February 10, 2026.

The Landlords and the Tenant attended the hearing.

Determinations:

1. For the following reasons, the Tenant's request to review order LTB-T-085722-24 issued on January 5, 2026 is denied.
2. The Tenant testified that he logged into the hearing on December 22, 2025 and remained in the waiting room for two hours (i.e. from 9:00 a.m. to 11:00 a.m.) He expected the moderator to admit him when it was time for his hearing. At 11:00 a.m. he contacted LTB hearing support because he had still not been admitted to the hearing room. He received a response one hour later and was finally able to log into the hearing at 1:00 p.m.. The adjudicator told him that his application had already been heard.

3. The Landlord, Shivam Patel, testified that the adjudicator provided an extra thirty minutes before starting the hearing at 9:30 a.m. to allow any latecomers an opportunity to sign in. He stated that the Tenant did not sign in to the hearing.

Analysis

4. The Tenant did not produce any documentary evidence, such as a telephone record, computer screenshot or communication with the Board to corroborate his testimony that he signed into the December 22, 2025 hearing at 9:00 a.m. and was on hold for two hours. The December 22, 2025 block was self-moderated by the adjudicator which means the adjudicator is in charge of the waiting room. There is no indication on the hearing docket that the Tenant signed into the hearing, either at 9:00 a.m. or 1:00 p.m. There is nothing in the Board's order that indicates that the Tenant signed into the hearing after the matter had been heard.
5. The Tenant testified that he spoke with the moderator when he was let into the hearing. When he was advised that there was no moderator at the December 22, 2025 block, he stated that it was the adjudicator that he spoke with. He referred to the adjudicator as male. In this case, however, the adjudicator was female.
6. Given the lack of documentary evidence to corroborate the Tenant's testimony, as well as the inconsistencies in his testimony, I am not satisfied that the Tenant was not reasonably able to participate in the proceeding. It is evident that he was aware of the hearing.
7. It should be noted that after I rendered my decision and advised the parties that they could leave, the Tenant continued to make submissions. I advised that Tenant that the matter had already been decided and no further submissions would be accepted. The Tenant continued to argue and unmute himself, despite my direction that he stop talking. Since his matter had been completed and he was now an observer disrupting the hearing, I removed him from the hearing room.

It is ordered that:

1. The request to review order LTB-T-085722-24 issued on January 5, 2026 is denied. The order is confirmed and remains unchanged.

February 18, 2026
Date Issued

Karen Gonçalves
Member, Landlords 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.