



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-099831-25

In the matter of: 1559 North Belmont Concession 10
Havelock ON K0L1Z0

Between: Michael Volchevski Tenant

And

Varun Sriskanda Landlord

Michael Volchevski (the 'Tenant') applied for an order determining that Varun Sriskanda (the 'Landlord') :

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.

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

Only the Landlord and the Landlord's Representative Sathiyapriya Kalaimathian attended the hearing.

The Tenant initially attended the videoconference at 12:45 pm and requested to speak with TDC. At 1:00 pm TDC attended, and the Tenant was moved to a break-out room to speak with TDC. At 1:38 pm this matter was called, and I became aware that the Tenant had disconnected from the hearing and TDC had left. I stood the matter down to provide the Tenant time to return to the hearing if he was having technical issues. At 1:48 pm the Tenant attended the hearing but disconnected when I called his name. I again held the matter down to allow the Tenant to reconnect if he was having technical issues. The Landlord's Representative called the Tenant 3 times but the Tenant did not answer the call.

As of 2:17, the Tenant 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 Tenant did not attend the hearing to support their application, I find that this application has been abandoned.
2. The Landlord's Representative sought costs for the hearing.
3. An award of costs is discretionary. Rules 23.2 and 23.3 provide for ordering another party's costs. Under Rule 23.2 costs are limited to representation/preparation fees and out of pocket costs. The hourly rate for a paid representative is capped at \$100.00 to a maximum of \$700.00. Rule 23.3 does not specify the types of costs that may be awarded but does provide a party must have engaged in unreasonable conduct that caused undue delay or expense.
4. The Board's *Costs: Interpretation Guideline 3* provides costs to a successful party will generally only be awarded where conduct is unreasonable.
5. The Landlord's Representative submitted that this was a previously adjourned matter and each appearance before the Board results in costs to the Landlord.
6. The Tenant was not present to speak to the Landlord's request for costs.
7. Costs are not to be ordered in a way that would discourage parties from exercising their statutory rights. As the Tenant did not remain at the videoconference for the matter to be heard and I am unaware of the reason that he left, I do not find that the Tenant's conduct was unreasonable and the Landlord's request for costs is denied.

It is ordered that:

1. The Tenant's application is dismissed.

February 17, 2026

Date Issued

Brenda Mercer

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.