



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

Citation: Sivasubramaniam v Welautham, 2026 ONLTB 8552

Date: 2026-02-11

File Number: LTB-T-101916-25-RV

In the matter of: Basement, 59 CLEMENTS RD E
AJAX ON L1S1L3

Between: Manoharan Sivasubramaniam Tenant
Indra Vinayaganoorthy

And

Ajithkumar Welautham Landlord

Review Order

Manoharan Sivasubramaniam and Indra Vinayaganoorthy (the 'Tenant') applied for an order determining that Ajithkumar Welautham (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 resolved by order LTB-T-101916-25 issued on January 28, 2026.

On February 6, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Landlord's request to review largely restates the Landlord's position on issues that were raised and addressed at the original hearing and voices their disagreement with the Member's determinations.
2. Interpretation Guideline 8 - Review of an Order states:

A review is not an appeal or an opportunity to change the way a case was presented.

The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient

evidence before the Board to support its conclusions. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality.

TSL-51694-14-IN-RV (Re), 2015 CanLII 23959 (ON LTB) at para 10

3. The Landlord's disagreement with the Member's determinations is not sufficient grounds for review. There is no indication that the Member applied improper principles in assessing the evidence introduced in this case or that there was insufficient evidence before the Board to support the Member's conclusions.
4. I should note that contrary to the Landlord's assertion that the Member accepted the Tenant's evidence and rejected the Landlord's evidence, the Member found at paragraph 15 that the evidence from both parties was hearsay and to some extent deficient because the authors of the reports were not present to testify.
5. As a result, based on the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings or that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-101916-25 issued on January 28, 2026 is denied. The order is confirmed and remains unchanged.

February 11, 2026
Date Issued

Richard Ferriss
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.