



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

File Number: LTB-L-094404-25-RV

In the matter of: Basement Floor, Room #2, 3372 BAYVIEW AVE
NORTH YORK ON M2M3S2

Between: Michael Mo Qashqai Landlord

And

Vahid Salimzadeh Vazifeh Tenant

Review Order

Michael Mo Qashqai (the 'Landlord') applied for an order to terminate the tenancy and evict Vahid Salimzadeh Vazifeh (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-094404-25 issued on January 27, 2026 as a result of a hearing that took place on January 21, 2026 where the Tenant was in attendance.

On February 17, 2026, the Tenant requested a review of the order.

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

Determinations:

1. For the reasons that follow the request to review is denied and the order remains unchanged.

REQUEST TO REVIEW

2. The Tenant's request to review alleges he was not reasonably able to participate at the hearing and that the order contains a serious error when the presiding adjudicator refused him from proceeding with his section 82 claims. The request to review goes on to make the same arguments that are captured in the order with respect to the delayed disclosure of the issues. The Tenant essentially seeks a reconsideration of the decision to allow him to proceed with his section 82 claims.
3. With respect to the Tenant's allegation of not reasonably being able to participate in the proceedings, I am not satisfied this is the case. I say this because he attended on the hearing day, had a translator and was able to put forward his position with respect to the lawful monthly rent as well as make his submissions on late disclosure of his section 82 claims. Therefore the request to review on these grounds is denied.

4. With respect to the allegation of a serious error in the proceedings, section 82 of the Act states the following:

82 (1) At a hearing of an application by a landlord under section 69 for an order terminating a tenancy and evicting a tenant based on a notice of termination under section 59, the Board shall permit the tenant to raise any issue that could be the subject of an application made by the tenant under this Act if the tenant,

(a) complies with the requirements set out in subsection (2); or

(b) provides an explanation satisfactory to the Board explaining why the tenant could not comply with the requirements set out in subsection (2).

(2) The requirements referred to in subsection (1) are the following:

1. The tenant shall give advance notice to the landlord of the tenant's intent to raise the issue at the hearing.
2. The notice shall be given within the time set out in the Rules.
3. The notice shall be given in writing and shall comply with the Rules.

5. In the order that is the subject of this review, I find the presiding adjudicator assessed the Tenant's request in the context of section 82 and made their finding that the disclosure was late – which the Tenant admits to – and that the explanation for the delay was not reasonable. This assessment is aligned with this section of the Act and so I am not convinced that there is a serious error in the order or that a serious error occurred in the proceedings.
6. I note that findings of fact are entitled to considerable deference. The presiding adjudicator who heard the request to proceed with section 82 claims was in the best position to assess it. The presiding adjudicator found the explanation for the delay of disclosure to be unsatisfactory. There was evidence before the presiding adjudicator to support that conclusion.
7. If the Tenant still wishes to proceed with his section 82 claims, subject to the limitation period in section 29(2) of the Act, he may still file his own application.
8. On the basis of 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 Tenant was not reasonably able to participate in the proceeding. The request to review is denied.
9. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The request to review order LTB-L-094404-25 issued on January 27, 2026 is denied. The order is confirmed and remains unchanged.

February 19, 2026
Date Issued

Sonia Anwar-Ali
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.