



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

File Number: LTB-T-023470-24-RV

In the matter of: Garage, 90 BRENDA CRES
SCARBOROUGH ON M1K3C6

Between: Iftekharul Haque Tenant

And

Abdul Latif Landlord

And

Iftekharul Haque Former
Tenant

Review Order

Iftekharul Haque (the 'Tenant') applied for an order determining that Abdul Latif (the 'Landlord'):

- 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.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.
- This is the T2 application.

The Tenant also applied for an order determining that the Landlord illegally collected or retained money illegally. This is the T1 application.

These applications were resolved by order LTB-T-023470-24 issued on January 9, 2026 as a result of a hearing that took place on December 18, 2025.

On February 6, 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 the Tenant was not reasonably able to participate at the hearing on December 18, 2025 when the Tenant's adjournment request was denied and that the order contains a serious error when it dismisses the Tenant's application. Essentially the Tenant is disputing the Vice-Chair's decision to deny the adjournment and further recess the matter.
3. The Board's Interpretation Guideline #1 outlines the granting of adjournments as a discretionary decision of the Member hearing the application. Discretionary decisions are entitled to defence unless there is an unreasonable exercise of discretion which results in an order outside the usual range of remedies or results and where there are no reasons explaining the result.
4. 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.
5. So, the question before the Board is whether the presiding adjudicator's decision to deny the adjournment was reasonable. I find it was.
6. In reviewing the order that is the subject of this review, it appears that the adjournment request before the Board was based on the Tenant's inability to participate due to "severe acute low back pain." The request was not on consent of the parties, and the medical evidence submitted included chiropractor and doctor notes and x-ray requisitions. The Tenant was not present to give evidence to his condition or explain how his condition impacted his ability to participate. In reviewing the medical documentation before the Board, it appears that neither of them meets the test set out in *Wang v Oloo* 2023 ONSC 1028 as referenced in the order at paragraphs 6 and 7.
7. So in the face of the what was before the Vice-Chair, I do not find that the denial of the adjournment request was unreasonable under the circumstances and therefore I do not find there was a serious error in procedure or a serious error in the order.
8. The next question before the Board is whether the Tenant was not reasonably able to participate at the hearing and whether it was a serious error to dismiss the Tenant's application in the Tenant's absence.
9. For context, it appears that after the adjournment request was denied, the matter was stood down for ten minutes to allow the Tenant to join but the Tenant did not and instead indicated he was unavailable for another 20 minutes.

10. I find the Tenant was reasonably able to participate at the hearing on December 18, 2025. He was aware of the hearing date, the requirement that he had to join 15 minutes before the start of the hearing block time and chose not to be present while his representative made the adjournment request. When that was denied and a recess was provided to allow information to be communicated to the Tenant and have him join, the Tenant chose to further delay his arrival.
11. The request to review does not provide any further information regarding the reason for the delay in him joining the hearing room so I do not find it unreasonable for the Vice Chair to deny a further recess. Parties are expected to make any necessary arrangement to proceed with a case management or merits hearing on the date set out in the Notice of Hearing.
12. I also do not find any serious error in procedure occurred when the Vice-Chair dismissed the application as abandoned in the Tenant's absence. This is the standard outcome when an applicant fails to attend the hearing of their application.
13. 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 and the request to review is denied.
14. 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-T-023470-24 issued on January 9, 2026 is denied. The order is confirmed and remains unchanged.

February 20, 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.