



Order under Section 130 Residential Tenancies Act, 2006

Citation: Nagendrarajah v Kapchis, 2026 ONLTB 17838

Date: 2026-02-27

File Number: LTB-T-077660-25

In the matter of: 709, 350 Alton Towers circle
Scarborough ON M1V5E3

Between: Nithiya Nagendrarajah Tenant

and

Tammy Kapchis Landlord

Nithiya Nagendrarajah (the 'Tenant') applied for a reduction of the rent charged for the rental unit due to:

- a reduction or discontinuance in services or facilities provided in respect of the rental unit or the residential complex.

This application was heard by videoconference on February 9, 2026.

Only the Tenant attended the hearing.

As of 9:29am, the Landlord was 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. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. The T3 application was filed on September 14, 2025. It seeks a rent reduction due to an alleged reduction or discontinuance in services or facilities, specifically the removal of a dryer and hot water.
2. The Tenant testified that once the lease was signed, the Landlord's agent informed her agent that the dryer in the rental unit was not working. She testified that she also discovered on move in that there was no hot water. She notified the Landlord immediately and after the third visit from a plumber, they determined it was a repair issue although the Landlord disagreed with the plumber on what the specific issue was that was causing the unit to not have hot water.
3. Section 130(1) of the *Residential Tenancies Act, 2006* (the 'Act') states:

130 (1) A tenant of a rental unit may apply to the Board for an order for a reduction of the rent charged for the rental unit due to a reduction or discontinuance in services or facilities provided in respect of the rental unit or the residential complex.

4. The Tenant does not actually allege a reduction or discontinuance in services or facilities. Rather, the Tenant's allege the Landlord breached their maintenance obligations under section 20 of the Act. Nothing has been reduced. Nothing has been taken away.
5. As a result, I find that the evidence is insufficient to support a finding that the Landlord reduced or discontinued a service or facility. Accordingly, the Tenant's application shall be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

February 27, 2026
Date Issued

Candace Aboussafy
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.