



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

Citation: 490 EGLINTON VENTURES INC. v BANSODE, 2026 ONLTB 18345

Date: 2026-03-03

File Number: LTB-L-062563-25-RV

In the matter of: 302, 490 EGLINTON AVE E
TORONTO ON M4P1M4

Between: 490 Eglinton Ventures Inc. Landlord

And

Kalyani P. Bansode Tenants
Digvijaysinh Patodia

Review Order

490 Eglinton Ventures Inc. (the 'Landlord') applied for an order requiring Kalyani P. Bansode and Digvijaysinh Patodia (the 'Tenants') to pay the rent that the Tenants owe.

This application was resolved by order LTB-L-062563-25 issued on October 28, 2025.

On January 28, 2026, the Tenants requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 30, 2026, interim order LTB-L-062563-25-RV-IN was issued, staying the order issued on October 28, 2025.

This review was heard by videoconference on February 24, 2026. The Landlord's legal representative Sabrina Marchionne and the Tenants attended the hearing.

Determinations:

1. The order issued on October 28, 2025 orders the Tenants to pay arrears of rent owing to August 31, 2025. The order was issued on an uncontested basis as the Tenants were not present or represented at the hearing held on October 23, 2025.
2. The Tenant's request for review asserts that they were not reasonably able to participate in the proceedings.
3. At the hearing the Tenants testified that they were abroad on the hearing date and as such, were unable to participate in the virtual hearing as they had limited access to internet / telephone services.

4. The Tenants testified that they departed from Canada on October 12, 2025 to travel to India. The Tenants confirmed that on October 16, 2025, they received an email from the Landlord's property manager containing the notice of hearing and the Landlord's evidence for the October 23, 2025 hearing date. The Tenants had active email correspondence with the Landlord's legal representative's office from October 20 – 21, 2025 advising that they were abroad and would not be attending the hearing. A copy of this email correspondence was attached to the Tenant's request for review (TT exhibit #1).
5. The Tenants confirmed at the hearing that they did not file a request to reschedule form with the LTB prior to the hearing, nor did they contact a friend or family member to call into the hearing to request an adjournment of the matter.
6. When asked if the Tenants had attempted to log into the videoconference via telephone to request an adjournment of the matter, the Tenants testimony repeatedly changed. First the Tenants stated that they did not attempt to call into the hearing because they did not want to incur long-distance charges on their phone. When advised that the notice of hearing provides the parties with a toll-free telephone number to connect to the hearing via telephone, the Tenants then changed their testimony to state that they attempted to call into the hearing via the toll-free telephone number but could not connect to the hearing. The Tenants did not provide any phone records, screen shots or specific details such as an approximate time that they attempted to call into the hearing.
7. Based on the evidence and submissions before the Board, I am not satisfied that the Tenants were not reasonably able to participate in the proceedings. Rather, I find that the Tenants, despite being aware of the hearing date, chose not to attend the hearing or follow the Board's process to reschedule or adjourn the proceedings.
8. The evidence before the Board is clear that the Tenants were aware of the October 23, 2025 hearing date and despite being abroad, had access to internet services as they were actively emailing the Landlord's legal representative. Despite this, the Tenants made no attempts to use their available internet services to contact the Board or submit a request to reschedule. Further, the Tenant's testimony with respect to their attempts to call into the hearing was not credible given the inconsistencies in their testimony. I find on a balance of probabilities that the Tenants made no attempts to call into the hearing to participate and/or request an adjournment of the matter.
9. The Divisional Court has repeatedly affirmed that parties to an application are required to follow the Board's process to reschedule or adjourn a hearing: *Lacroix v. Central-McKinlay International Ltd.*, 2022 ONSC 2807 (Div. Ct.) (CanLII); *Wang v. Oloo*, 2023 ONSC 1028 (Div. Ct.) (CanLII). Further, as stated by the Court in *Q Res IV Operating CP Inc. v. Berezovs'ka* 2017 ONSC 5541 "If parties are not diligent in dealing with legal proceedings, then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely cost-effective and final orders.
10. As stated above, I find that the Tenants were aware of the hearing date, had the appropriate information to attend the hearing and simple chose not to attend due to the inconvenience of having to contact the Board and/or log into the hearing abroad.

11. As such, the Tenant's request for review is denied and the October 28, 2025 order is confirmed and will remain unchanged.

It is ordered that:

1. The request to review order LTB-L-062563-25 issued on October 28, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on January 30, 2026, is cancelled. The stay of order LTB-L-062563-25 is lifted immediately.

March 3, 2026

Date Issued

Fabio Quattrocioni

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.