



Order under Section 31 Residential Tenancies Act, 2006

Citation: Espenes v Vadhvana, 2026 ONLTB 19667

Date: 2026-03-03

File Number: LTB-T-076804-25

In the matter of: 28 EVANGELINE CRT
ETOBICOKE ON M9V4V2

Between: Ingrid Kristall Espenes Tenant

And

Dr. Romik Vadhvana Landlord

Ingrid Kristall Espenes (the 'Tenant') applied for an order determining that Dr. Romik Vadhvana (the 'Landlord'):

- entered the rental unit illegally.
- 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.

The Tenant also applied for an order determining that 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 scheduled to be heard by videoconference on March 9, 2026.

On March 2, 2026, the Tenant made a request to withdraw this application.

Determinations:

Background and Context

1. This application was filed with the LTB on September 12, 2025.
2. On January 26, 2026, the Tenant made a request to have this application heard with LTB-L-085477-25 and LTB-L-100049-25.
3. On January 27, 2026, the LTB denied the request to combine the applications, citing that there would be no risk of inconsistent findings if this application was not heard along with

the Landlord's two applications, and that if the request was granted, significant delay and draw from Board resources would occur.

4. On February 5, 2026, an order for LTB-L-085477-25 was issued, granting the Landlord's application to terminate the tenancy by February 28, 2026, to allow the Landlord to move into the rental unit themselves for their own residential purpose.
5. LTB-L-100049-25, an L1 application claiming that the Tenant has not paid rent, was scheduled to have been heard on February 12, 2026.
6. On February 11, 2026, the Tenant applied to the Divisional Court to appeal the decision on LTB-L-085477-25, as well as the Member's Endorsement that denied the Tenant's request to have LTB-L-085477-25 LTB-L-100049-25 and LTB-T-076804-25 heard together.
7. On March 2, 2026, the Tenant submitted a request to withdraw LTB-T-076804-25.
8. Pursuant to section 200(3) of the Act, the Board's consent is required if a tenant seeks to withdraw an application when an allegation of harassment has been made.
9. It appears that in regard to the Tenant's application, only the endorsement denying the Tenant's request to have all of these matters heard together is stayed, however, in the event that this perception is wrong, and if required, I would also rely on section 25(1) of the *Statutory Powers Procedures Act*, which states:

25. (1) An appeal from a decision of a tribunal to a court or other appellate body operates as a stay in the matter unless,

(a) another Act or a regulation that applies to the proceeding expressly provides to the contrary; or

(b) the tribunal or the court or other appellate body orders otherwise.

10. In this circumstance, I find that it would be fair, that if the proceedings of application LTB-T-076804-25 are currently stayed, that this stay be lifted to address the Tenant's request.
11. The Tenant has given lengthy reasons for why they are seeking to withdraw their application. Although the reasons provided for seeking to withdraw are not fully clear, I am satisfied that the withdrawal of this request is being made of the Tenant's freewill and unencumbered by outside influence.
12. For this reason, the Tenant's request is granted. Application LTB-T-076804-25 is withdrawn.

It is ordered that:

1. LTB-T-076804-25 is withdrawn.
2. The hearing scheduled for March 9, 2026, is cancelled.

March 3, 2026
Date Issued

Robert Brown
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.