



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

Citation: Motwani v Maple Leaf Property Management, 2026 ONLTB 22208

Date: 2026-03-12

File Number: LTB-T-053012-24-RV

In the matter of: 3714, 88 Bloor St East
Toronto ON M4W3G9

Between: Amitabh Mohan Motwani Tenant

And

Maple Leaf Property Management Landlord

Review Order

Amitabh Mohan Motwani (the 'Tenant') applied for an order determining that Maple Leaf Property Management (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. (T2 application)

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. (T6 application)

This T2/T6 application was resolved by order LTB-T-053012-24 issued on February 9, 2026.

On March 10, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file.

Determinations:

1. The order under review dismisses the Tenant's applications because the Tenant's applications were lacking in sufficient detail.
2. At the hearing the Tenant requested an adjournment to give them an opportunity to serve and file schedules to the applications. The Tenant submitted that due to health issues they were not able to instruct their legal representative and that their legal representative

was too busy to attend the hearing. The adjudicator denied the request to adjourn, noting that the Tenant had been represented throughout the proceedings and that at an Adjudicative Case Conference ('ACC') in May 2025 the Tenant was directed to serve and file the schedules that provide the details for these applications. As of the date of the hearing, six months after the ACC, these schedules still had not been served or filed.

3. The review request submits that the Tenant was suddenly and unexpectedly left without representation on the hearing date and that they only learned at the hearing that their representative had not served or filed the schedules.
4. The review request does not identify any errors by the adjudicator. In any event, in the circumstances as set out above, it was reasonable for the adjudicator to deny the request for an adjournment and dismiss the application.
5. The review request might be interpreted to be alleging that the LTB should re-hear this matter on the basis of ineffective assistance of counsel.
6. In *D.W. v. White*, 2004 CanLII 22543, the Ontario Court of Appeal indicated that the ground of ineffective assistance of counsel should be available in the rarest of cases such as cases involving some overriding public interest, cases engaging the interests of vulnerable persons like children or persons under a mental disability, or cases in which one party to the litigation is somehow complicit in the failure of counsel opposite to attain a reasonable standard of representation.
7. This case is not rare. This case is not of overriding public interest. It is a case about specific problems in this tenancy, including repairs after a fire. The Tenant has not identified themselves as vulnerable and there is no allegation that the Landlord or the Landlord's representatives have been complicit in the failure of the Tenant's representative to effectively represent the Tenant. I am therefore not satisfied that ineffective assistance of counsel is a sufficient ground to support a review request in this matter.
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.

It is ordered that:

1. The request to review order LTB-T-053012-24 issued on February 9, 2026 is denied. The order is confirmed and remains unchanged.

March 12, 2026
Date Issued

Renée Lang
Vice Chair, Landlord and Tenant Board

Toronto ON M7A 2G6

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