



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

Citation: Patel v Akter, 2026 ONLTB 22262

Date: 2026-03-23

File Number: LTB-L-007995-25-RV

In the matter of: 104 BACH AVE
WHITBY ON L1R2P8

Between: Nishant Patel Landlord

And

Aseka Akter Tenant
Syed Kawsar

Review Order

Nishant Patel (the 'Landlord') applied for an order to terminate the tenancy and evict Aseka Akter and Syed Kawsar (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-007995-25 issued on March 18, 2026.

On March 20, 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 as well as the audio recording for this hearing.

Determinations:

1. The Tenant alleges that the order contains a serious error with respect to the last month's rent deposit.
2. This issue was raised and addressed at the hearing. The Landlord testified the last month's rent had been applied to September 2022 because the Tenant did not pay the rent in September 2022 and the Landlord relied on an email sent to the Tenant to support his testimony. The Tenant denied that the last month's rent had been applied to September 2022 but did not produce any evidence to show that he had paid the rent for September 2022.
3. I am not persuaded that there is a serious error in the order with respect to this issue because, even if the Tenant's argument was successful, the result would be the same. More specifically, the Board could've accepted that there was a last month's rent deposit

but amended the application to include arrears for September 2022. The end result would have been the same.

4. As a result, 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-L-007995-25 issued on March 18, 2026 is denied. The order is confirmed and remains unchanged.

March 23, 2026
Date Issued

Richard Ferriss
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.