



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-087484-24

In the matter of: 1405 CORAL SPRINGS PATH
Toronto ON L1K3G1

Between: Wahidullah Zafari Tenant

And

Garima Gulati Landlord

Wahidullah Zafari (the 'Tenant') applied for an order determining that Garima Gulati (the 'Landlord') :

- 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.

This application was heard by videoconference on March 17, 2026.

The Tenant and the Tenant's Legal Representative Payam Javadi and the Landlord and the Landlord's Legal Representative Vijayant Sood attended the hearing.

Determinations:

1. At the hearing, the Tenant sought to withdraw the application, and I consented to the request.
2. The Landlord's Agent requested that I order the Tenant to pay costs. The Tenant's Application was withdrawn as the Tenant is in the process of starting and bankruptcy filing and the Landlord's Legal Representative indicated that the Tenant has known for some time he will be filing for bankruptcy and could have withdrawn the Application prior to the hearing. The Landlord's Legal Representative also noted that the Tenant could have withdrawn the Application when the matter was initially called, instead of seeking an adjournment to withdraw at a later date.
3. The Tenant's Legal Representative indicated that the Tenant is not a legal professional, and does not have a robust understanding of bankruptcy proceedings or their impact and noted that the Tenant is clearly experiencing financial hardship and a costs award would increase the difficulties faced by the Tenant.
4. Interpretation Guideline 3 'Costs' states:

A Member has the discretion to require a party, a party's agent or a party's legal representative to pay, as costs, any representation or preparation expenses of another party where the conduct of the party, a party's agent or a party's legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay and includes the following:

1. Bringing a frivolous or vexatious application or motion;
 2. Initiating an application or any procedure in bad faith;
 3. Taking unnecessary steps in a proceeding;
 4. Failing to take necessary steps, such as those required by the RTA or Rules;
 5. Any misconduct at the hearing or in the proceeding;
 6. Raising an issue which is irrelevant to the proceedings and continuing to pursue that issue after the Member has pointed out that it is irrelevant;
 7. Asking for adjournments or delays without justification;
 8. Failing to prepare adequately for the hearing;
 9. Acting contemptuously toward the Member or showing a lack of respect for the process or the Board;
 10. Failing to follow the directions of the Member or upsetting the orderly conduct of the hearing; and
 11. Maligning another party or unreasonably slurring the character of the other party.
5. While this guideline is not binding on me, I find no reason to deviate from it here. I am not satisfied that the Landlord's Legal Representative has demonstrated that costs are appropriate. While the Tenant's request to withdraw could have been made in a more timely fashion, I am prepared to attribute this to a lack of familiarity with both the bankruptcy process and the Board's own rules rather than an intention to delay the proceedings, and note that after the matter was stood down to allow the Tenant to confer with their representative they made a request to withdraw.
6. Therefore, I decline to order costs be paid by the Tenant.

It is ordered that:

7. The application having been withdrawn, the LTB's file is closed.

March 31, 2026
Date Issued

Reid Jackson
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.