



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

Citation: Arafat v Rahman, ONLTB 0

Date: 2026-04-01

File Number: LTB-L-001252-26-RV

In the matter of: Main, 68 HART AVE
SCARBOROUGH ON M1K3H4

Between: Kawsar-Al Arafat Landlord

And

Mohammad Rahman Tenant

Review Order

Kawsar-Al Arafat (the 'Landlord') applied for an order to terminate the tenancy and evict Mohammad Rahman (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-001252-26 issued on March 23, 2026.

On March 31, 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. This review request is made on the grounds of serious error and being not reasonably able to participate in the proceedings.
2. The hearing that gave rise to the order under review took place on March 11, 2026. The Tenant attended and gave evidence and submissions.
3. The Tenant submits that the Member seriously erred by failing to consider that the lease is for the whole house and despite this the Landlord placed tenants in the basement. The Tenant also submits that the basement tenants interfere with his reasonable enjoyment of the premises and that the basement unit does not comply with municipal by-laws.
4. The first issue, whether the tenancy agreement is for the whole house, was fully litigated at the hearing, including that the lease does not restrict the tenancy to the main floor. The Member's conclusion that the actual tenancy is for only the main floor is grounded in the

evidence given at the hearing (and in s.202 of the *Residential Tenancies Act, 2006*) and so it is reasonable.

5. The other two issues were not relevant to this proceeding. Neither of them were raised in the Tenant's list of s.82 issues.
6. The Tenant has provided no information that would support a preliminary finding that they were not reasonably able to participate in the proceedings.
7. 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-001252-26 issued on March 23, 2026 is denied. The order is confirmed and remains unchanged.

April 1, 2026
Date Issued

Renée Lang
Vice Chair, 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.