



Order under Section 30 and 31 Residential Tenancies Act, 2006

File Number: LTB-T-096660-23

In the matter of: 25 Winter Ave
Scarborough ON M1K4L6

Between: Jenelle Juhi Athansius Tenant

And

Balatharsini Sivakurunathan Thavaraja Landlord

Jenelle Juhi Athansius (the 'Tenant') applied for an order determining that Balatharsini Sivakurunathan Thavaraja (the 'Landlord'):

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- 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.
- withheld or interfered with their vital services or care services and meals in a care home.
- did not give the Tenant a written tenancy agreement for their care home unit or the agreement did not include information about care services and meals and the charges the Tenant agreed to pay for them.
- 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 heard by videoconference on February 26, 2026.

The Landlord's agent, Baisan Thavaraja, and the Tenant attended the hearing.

Preliminary issue:

1. At the hearing, the Landlord's agent raised a preliminary issue in regard to the Landlord being incorrectly named on the application. The Landlord's agent submitted that there are two Landlord(s) that ought to be named and put on notice of the Tenant's application. The Tenant did not agree with the Landlord's agent and testified that there was never a written lease agreement, so she was unsure of who the legal Landlord(s) were.

2. The Tenant vacated the rental unit on August 5, 2024.
3. The Tenant's T2;T6 application was filed with the Board on December 14, 2023. The Tenant had made several amendments to her application, one amendment being made on February 25, 2026, the day prior to the hearing. However, in none of the Tenant's amendments does she amend the name of the Landlord.
4. The parties agreed that on November 7, 2024, the parties attended a hearing with the Board in regard to LTB file: LTB-L-047631-24 ("L1;L2 application"). The parties further agreed that the L1;L2 application was resolved via a mediated agreement, where both parties arrived at a consent agreement.
5. The consent agreement was adduced into evidence at the hearing for the purpose of demonstrating the correct name of the parties. The Landlord(s) on the consent agreement is clearly listed as Balatharshini Sivakurunathan and Thavaraja Rajaratnam. I do not agree with the Tenant's version of events that she did not know who the Landlord(s) of the rental unit was because she did not have a written lease agreement. I agree that when the Tenant first filed her application with the Board on December 14, 2023, she may not have been privy to the names of the Landlord(s). However, as of November 7, 2024, when she entered into a consent agreement with the Landlord(s), she would have become aware of their names and ought have amended her T2;T6 application.
6. Since the Tenant failed to correctly identify the legal Landlord(s), I must dismiss her application. The Tenant has had since November 7, 2024 to correctly amend her application to put the legal Landlord(s) on notice of her application, but she failed to do so.

It is ordered that:

1. The Tenant's application is dismissed.

April 10, 2026

Date Issued

Vishal Nanda

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.