



## **Order under Sections 30 and 31 Residential Tenancies Act, 2006**

**File Number:** LTB-T-082586-24

**In the matter of:** Basement, 44 Ringway Cres  
Etobicoke ON M9W1X4

**Between:** Sally Sarraf Tenant

**And**

Najmul Hassan Mirza Landlord

Sally Sarraf (the 'Tenant') applied for an order determining that Najmul Hassan Mirza (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,
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006*, or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on March 31, 2026.

Only the Tenant attended the hearing.

As of 10:03am, the Landlord was not present or represented at the hearing. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

### **Determinations:**

1. The application was scheduled for an Adjudicative Case Conference ('ACC') on September 25, 2025. Only the Tenant attended the ACC.
2. As the Board was not satisfied that the Landlord had been duly served with a copy of the application and the notice related to the ACC, the Tenant was therefore ordered to serve the Landlord with a copy of the Notice of Hearing related to the March 31, 2026, hearing, along with a copy of the application and the documentary evidence the Tenant intended to rely on

during the proceedings, at least thirty (30) days prior to the hearing date (*i.e.* no later than March 1, 2026).<sup>1</sup>

3. The Tenant testified that they moved out of the rental unit. During the course of their tenancy, they would communicate with the Landlord in-person, as they both resided within the same residential complex.
4. The Tenant stated that they made no attempts to serve a copy of the application, nor a copy of the Notice of Hearing related to the March 31, 2026, hearing, to the Landlord.
5. The Tenant provided a copy of the Agreement to Lease they executed along with the Landlord on August 18, 2021 (DOC-7677246; Exhibit 1). The document does not reflect that the Landlord consented to being served by email, nor was an email address provided. I am therefore not satisfied that the Landlord was duly served with a copy of the Notice of Hearing.
6. The Board has an obligation to adopt the most expeditious method of determining the questions arising in a proceeding.<sup>2</sup>
7. The Tenant, as the applicant, is required to exercise diligence in order to ensure that their application can proceed in being heard. As the Tenant made no attempts to comply with the terms and deadlines set out in the interim order LTB-T-082586-24-IN, issued on October 1, 2025, I did not find it appropriate to adjourn the matter further.<sup>3</sup>
8. Accordingly, pursuant to Rule 5.17 of the Board's *Rules of Procedure*, as the Tenant failed to serve the Notice of Hearing related to the March 31, 2026, hearing, in accordance with the interim order LTB-T-082586-24-IN, issued on October 1, 2025, the Tenant's application was dismissed.

**It is ordered that:**

1. The Tenant's application was dismissed.

**April 8, 2026**  
**Date Issued**

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Alexandre Traboulsi  
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.

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<sup>1</sup> Interim Order LTB-T-082586-24-IN, issued on October 1, 2025.

<sup>2</sup> Section 183 of the *Residential Tenancies Act, 2006*.

<sup>3</sup> Rule 21.8 of the Board's *Rules of Procedure*.