



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

Citation: Nithin v Mcgroarty, 2026 ONLTB 29001

Date: 2026-04-07

File Number: LTB-L-069418-25-RV

In the matter of: 3123 CARDING MILL TRAIL
OAKVILLE ON L6M0Z5

Between: Nisarga Nithin Landlord

And

Jeffrey Mcgroarty Former
Tenant

Review Order

Nisarga Nithin (the 'Landlord') applied for an order requiring Jeffrey Mcgroarty (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was resolved by order LTB-L-069418-25 issued on March 19, 2026.

On April 2, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Reasons:

1. The Landlord's application was heard on March 11, 2026. Neither party attended the hearing, and the application was dismissed as abandoned. The Landlord requests a review on the basis that they were not reasonably able to participate in the hearing.
2. On the basis of the submissions made in the request, I am not satisfied that the Landlord was not reasonably able to participate in the proceeding.
3. The review request indicates that the Landlord did not attend the hearing because they were waiting for a response to three requests for alternate service. A request for alternate service is a request to be permitted to serve the application on the Tenant by a means not normally permitted.
4. The LTB's file only contains one request for alternate service. The LTB denied that request in a decision issued on January 19, 2026. The decision was emailed to the

Landlord on January 21, 2026. There is no merit to the Landlord's claim that, on March 11, 2026, they were still waiting for the decision.

5. Moreover, even if the Landlord had still been awaiting a decision on their request for alternate service, that would not have been a reason not to attend the hearing. The Landlord was required to attend, and could have requested an adjournment if they believed that the hearing could not proceed pending their alternate service request.
6. I am therefore satisfied that the Landlord was reasonably able to participate in the hearing, but chose not to attend. The review will be denied.

It is ordered that:

1. The request to review order LTB-L-069418-25 issued on is denied. The order is confirmed and remains unchanged.

April 7, 2026
Date Issued

Dale Whitmore
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.