



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

Citation: Sivasarasathurai v Ready Capital Mortgage Investment Trust Inc., 2026 ONLTB 24915

Date: 2026-04-15

File Number: LTB-T-007780-26-RV

In the matter of: 62 PANTHEON LANE
MARKHAM ON L6E0V3

Between: Ajana Sivasarasathurai Tenant
Ragawan Rajendran

And

Ready Capital Mortgage Investment Trust Inc. Landlord

Review Order

Ajana Sivasarasathurai and Ragawan Rajendran (the 'Tenant') applied for an order determining that Ready Capital Mortgage Investment Trust Inc. (the 'Landlord') :

- 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.

This application was resolved by order LTB-T-007780-26 issued on April 10, 2026.

On April 10, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant alleges that the order contains a serious error. More specifically, the Tenant alleges that it is an error for the Board to find that the Act does not apply pursuant to subsection 5 (i), because the former landlord moved out of the residential complex prior to the incidences giving rise to the application.
2. I am not persuaded that the order contains a serious error. The reason for this is that the nature of the tenancy is determined at the commencement of the tenancy. While I understand that the Tenant disagrees with the determination that the Tenant shared a kitchen with the former landlord, the Member's determinations on this point are rational

and entitled to deference. The fact that the former landlord vacated the rental unit prior to the incidences giving rise to this application does not change the nature of the tenancy or make the Act apply.

3. As a result, 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-T-007780-26 issued on April 10, 2026 is denied. The order is confirmed and remains unchanged.

April 15, 2026
Date Issued

Richard Ferriss
Member, 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.