



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

File Number: LTB-T-029559-25-RV

In the matter of: 174 Cabernet Ct
Etobicoke ON M9V4Y8

Between: Sunil Elvitigala Tenants
Niroshani Withana Arachchige

And

Jamella Chan Landlord

Review Order

Sunil Elvitigala and Niroshani Withana Arachchige (the 'Tenants') applied for a reduction of the rent charged for the rental unit due to:

- a reduction or discontinuance in services or facilities provided in respect of the rental unit or the residential complex.

This application was resolved by order LTB-T-029559-25 issued on January 20, 2026.

On March 3, 2026, the Landlord requested a review of the order and that the order be stayed until the request to review the order is resolved. The Landlord alleged that there is a serious error in the order and that they were not reasonably able to participate in the proceeding.

On March 4, 2026, interim order LTB-T-029559-25-RV-IN was issued, staying the order issued on January 20, 2026.

This application was heard by videoconference on April 20, 2026. The Tenant, Sunil Elvitigala, and the Landlord's Agent / daughter, S. Seepaul, attended the hearing.

Determinations:

Review Request

1. The parties agreed that the Notice of Hearing contained an inaccurate address for the Landlord, who denied having any knowledge of the hearing.
2. On the basis of the submissions made in the request, I am satisfied that the Landlord was not reasonably able to participate in the proceeding. The application was heard afresh as a result.

Rent Reduction

3. The Tenant testified that the Landlord unplugged the washing machine in August 2024, and the police had to intervene. From August 2024 to about August 25, 2025, when they vacated the rental unit, the Tenants had to use the laundromat because the washing machine was not functional.
4. The Landlord testified that on September 11, 2024, they sent a family member to investigate the Tenants' complaints about the washing machine. The family member confirmed that the washing machine was working, and as the Landlord did not receive further complaints from the Tenant, assumed the issue was resolved.
5. On February 21, 2025, when the Landlord requested rent payment, the Tenants claimed that the washing machine was still not working. The Landlord again sent the family member who reported that the washing machine was 'spinning.' The Landlord understood that to mean it was working.
6. The Landlord, who sold the rental unit on June 2, 2025, argued that the Tenant vacated the unit on September 5, 2025.
7. The Tenants did not dispute the Landlord's claim that their family member inspected the washing machine on September 11, 2024, but maintained that the washing machine did not work after that visit.
8. Section 130 (1) of the *Residential Tenancies Act, 2006* ("Act") provides that a tenant of a rental unit may apply to the Board for an order for a reduction of the rent charged for the rental unit due to a reduction or discontinuance in services or facilities provided in respect of the rental unit or the residential complex.
9. Based on all the evidence, I am not satisfied that the Landlord discontinued the use of the laundry facility or washing machine. Following the inspection conducted on September 11, 2024, the Tenants did not report that the issue persisted. The issue was not raised again until February 21, 2025, when the Landlord requested the Tenants' rent payment for that month. At which point, the Tenants stated that the washing machine was still not working.
10. The Landlord claimed that their family member visited the unit on an undisclosed date after February 21, 2025, and confirmed the washing machine was working. While the Tenants dispute this assertion, there is no evidence on the record to support the Tenants' claim that the washing machine was not functioning at any time after September 11, 2024, or that they incurred substantial expenses from going to a laundromat. Therefore, I find that the Tenants have failed to prove on a balance of probabilities that the Landlord discontinued the use of the laundry facility or washing machine.

It is ordered that:

1. The request to review order LTB-T-029559-25 issued on January 20, 2026, is granted. The Tenant cannot enforce the order.
2. The interim order issued on March 4, 2026, is cancelled and replaced by this order.

3. The Tenants' application is dismissed.

April 24, 2026

Date Issued

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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.