



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-052763-23-RV

In the matter of: 110, 200 Garden Street
Whitby ON L1N3W4

Between: Keith Newans Tenant
Brandon Urquhart

And

Gilad Abrahami Landlord
Mary Apartments Ltd. Current Landlord

Keith Newans and Brandon Urquhart (the 'Tenant') applied for an order determining that Gilad Abrahami and Mary Apartments Ltd. (the 'Landlord') 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 resolved by order LTB-T-052763-23 issued on January 13, 2026. The Tenants had technical issues during that hearing, causing them to sign in late. The Board dismissed the application as abandoned.

On January 13, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 14, 2026, interim order LTB-T-052763-23-RV-IN was issued.

The review request was heard by video conference on February 2, 2026. Interim order LTB-T-052763-23-RV-IN2 issued on March 10, 2026, granted the review request and directed that the application be heard *de novo*.

The *de novo* hearing was held on April 22, 2026.

The Tenants, the Landlord's Legal Representative Carrie Aylwin, and the Landlord's Agent Kan Vivek attended the hearing.

Preliminary Issues:

1. The Landlord's Representative submitted that the Tenants' application lacked particulars regarding the reasons and remedies, preventing the Landlord from knowing the case to be

met and prepare accordingly. The Representative requested that the application be dismissed.

2. The Tenant, Brandon Urquhart, submitted that he had been obtaining legal advice from legal clinics throughout the three years since the application was filed, and was always told that the application details were sufficient until the week before the April 22, 2026, hearing. At that point, he felt it was too late to amend the application. The Tenant requested to proceed with the hearing.
3. The interim review order issued on March 10, 2026, stated at paragraph 14:

The Tenants were informed about the necessity for adequate particulars and details in a T6 application and recommended to obtain legal advice to amend the application (must comply with Rule 15 of the LTB's *Rules of Procedure*). The potential consequences (including dismissal of a claim) was explained if there was lack of procedural fairness. The Tenants were recommended to carefully review the instruction sheet for T6 applications, which requests details such as dates, times, names, when and how the Tenants informed the Landlord(s) about each issue, what was done to resolve the issue if anything, and what specific monetary or percentage rent abatement or remedy is sought for each issue. Any request to amend will be determined by the next hearing Member.

4. The review hearing was held on February 2, 2026, which is when the Member informed the Tenants about the deficiencies in their application and recommended them to review the instruction sheet for T6 applications. The interim order was issued on March 10, 2026, which clearly outlines the application requirements as well. Even if the Tenants forgot or misheard the Member's oral instructions, they had at least since March 10, 2026, a significant amount of time, to read the requirements for the application and amend it accordingly. They failed to do so. Even if I accept that the Tenants were misinformed by the legal clinic, I am not satisfied that this justifies their lack of action in providing details on the application. The instruction sheets for completing applications are clear and written in plain English. Had the Tenants read the sheet, they would have had sufficient information to correct their application even without obtaining legal advice.
5. The Tenants' application requested a rent abatement of an unspecified amount. The Board may only order the amount claimed on the application or less, not more. As there was no amount requested for a rent abatement, this remedy could not be awarded. The only other remedy requested was for the Landlord to repair the unit.
6. Of the issues raised, some did not explain the problem in sufficient detail and others did not request any remedy. The only issues that were connected to a remedy and were clear enough for the Landlord to understand and prepare for were: the lack of a floor in the second bedroom, a hole in the bathroom ceiling, and a hole in the wall around the electrical panel. The Tenant confirmed that the only outstanding issue was the hole in the wall around the electrical panel. The Landlord's Agent stated that he was willing to repair the wall by May 15, 2026. The Tenant was not opposed to this deadline.

It is ordered on consent that:

1. The Landlord shall close the hole in the wall around the electrical panel on or before May 15, 2026.

April 28, 2026

Date Issued

Kate Sinipostolova

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.