



**Order under Subsection 87(1)
Residential Tenancies Act, 2006**

File Number: LTB-L-096095-25

In the matter of: 58 Farooq Blvd.
Woodbridge, ON L4H4P3

Between: Subodh Sharma Landlord

And

Andrea Drencsan Tenant
Stewart Gordon Fraser

Subodh Sharma (the 'Landlord') applied for an order to terminate the tenancy and evict Andrea Drencsan and Stewart Gordon Fraser (collectively the 'Tenant') because the Tenant did not pay the rent owed.

This application was heard by videoconference on April 13, 2026.

The Landlord's legal representative, Erli Bregu, the Landlord, the Tenant's legal representative, Peter Swales and both named Tenants attended the hearing.

Adjournment Request:

1. The Landlord's representative requested an adjournment on the basis that the Landlord required additional time to review records relating to the N1 Notices of Rent Increase and their effect on the amount of rent arrears claimed.
2. Section 183 of the Residential Tenancies Act, 2006 (the 'Act') requires the Board to adopt the most expeditious method of determining the questions arising in a proceeding that affords all persons directly affected an adequate opportunity to know the issues and be heard.
3. This application had previously been adjourned on January 22, 2026, due to scheduling overflow. On January 23, 2026, an adjournment sheet was uploaded to the portal indicating that the tenancy had ended on November 30, 2025, and

that the Tenant disputed the amount of arrears, the outstanding rent deposit, and the lawful monthly rent on the basis that no N1 notice of rent increase had been served.

4. The Landlord therefore had approximately 11 weeks following the prior adjournment and was fully aware of the specific issues in dispute. In these circumstances, the Landlord had ample opportunity to review their records and prepare to address those issues. Further, approximately 10 minutes after the hearing block began, the Landlord uploaded an L1/L9 Information Update Form indicating that there was no rent deposit, a \$2,000.00 key deposit, and total arrears to December 1, 2025, of \$9,231.00. Both the Tenant and the Board would reasonably expect that, prior to preparing and submitting this Update Form, the Landlord had taken the necessary steps to verify the accuracy and completeness of the information it contained.
5. I am not satisfied that the Landlord took reasonable steps to review its records before preparing the L1/L9 Information Update Form, despite knowing the Tenant's specific arrears disputes. In my view, the adjournment request arose from a lack of preparation. Granting the request would not have been consistent with the Board's obligation to provide expeditious dispute resolution. Accordingly, the adjournment request was denied.

Determinations:

6. I directed the parties to meet privately in an effort to resolve the issues identified by the Tenant in the January 23, 2026, adjournment sheet. After a meeting lasting nearly three hours, the parties agreed that:
 - a) The Landlord collected a rent deposit of \$2,800.00 from the Tenant on August 1, 2021, and continues to hold that deposit.
 - b) The Landlord collected an illegal key deposit of \$2,000.00 on August 1, 2021, and continues to hold that deposit.
 - c) The rent was increased unlawfully, which affected the amount of rent arrears claimed.
7. The hearing resumed at 4:40 p.m. At that time, the Landlord still could not confirm the actual amount of rent arrears and the Landlord's representative renewed the request for an adjournment.
8. I find that the Landlord knew, or ought reasonably to have known, the elements of its own case and should have been prepared to present sufficient evidence in

support of their application, particularly given its prior knowledge of the specific issues disputed by the Tenant. As a result of the Landlord's failure to adequately prepare, the time and resources of both the Tenant and the Board were needlessly expended.

9. Accordingly, I advised the parties that the application would be dismissed without prejudice. As the Tenant has already vacated the rental unit, the Landlord will suffer no further prejudice. Once the Landlord has determined the actual amount of rent arrears and is prepared to proceed, they may file a new application for any rent lawfully owing subject to any limitation period.

It is ordered that:

1. The Landlord's application is dismissed without prejudice.

May 6, 2026
Date Issued

Ken Audziss
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.