



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

Citation: Sheikh v Mukherjee, 2026 ONLTB 38248

Date: 2026-05-11

File Number: LTB-L-108378-25-RV

In the matter of: 708, 25 TRAILWOOD DR
MISSISSAUGA ON L4Z3K9

Between: Sadia Taj Sheikh Landlord

And

Kabita Mukherjee Tenant

Sadia Taj Sheikh (the 'Landlord') applied for an order to terminate the tenancy and evict Kabita Mukherjee (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-108378-25 issued on April 30, 2026.

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

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. 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.
2. In the review request, the Tenant asserts that she was not reasonably able to participate at the hearing that was held on March 25, 2026. The Tenant attended that hearing. However, the Tenant asserts that due to "overwhelming family and medical circumstances..." she did not fully disclose her daughter's medical issues. She avoided the topic, claiming her daughter was present in the room.
3. I note, the hearing order did not identify the Tenant's daughter as present at the hearing nor did the Tenant advise the presiding Member of her daughter's presence during the

proceeding. The Tenant was required to alert the Member of those attending the hearing either as a support or witness or any other circumstance.

4. I have reviewed the application record and have listened to relevant portions of the March 25, 2026 hearing recording. The Tenant did not request to adjourn the matter. Rather, she fully participated in the process by providing submissions and leading evidence.
5. The recording also confirms at around 1:29:23 and 1:43:12, for example, the Tenant was afforded the opportunity to cross examine the Landlord's evidence and declined to do so.
6. The Tenant led evidence related to the good faith intention of the Landlord's application, her maintenance issues and her circumstances related to s.83 of the Act, regarding relief from eviction. At around 1:57:29, the Member asked the Tenant if there was anything else the Tenant wanted to bring to the Board's attention. The Tenant again provided further submissions.
7. The hearing recording confirms the Tenant fully engaged her right to participate at the hearing. There was no indication that the Tenant was under duress and unable or restricted in her ability to provide submissions.
8. While the Tenant may wish to have expanded on her request for relief, she was afforded an opportunity to do so at the hearing. It therefore cannot be said that she was not reasonably able to participate at the hearing.
9. Given the above, I do not find the Tenant was not reasonably able to participate at the hearing nor was there any error related to the hearing procedure.
10. The Tenant's review request is denied.

It is ordered that:

1. The request to review order LTB-L-108378-25 issued on April 30, 2026 is denied. The order is confirmed and remains unchanged.

May 11, 2026
Date Issued

Dana Wren
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.