



**Order under Section 135  
Residential Tenancies Act, 2006**

**File Number:** LTB-T-046282-25

**In the matter of:** 513, 56 LAKESIDE TERR  
BARRIE ON L4M 0L4

**Between:** Alexandra Yule Tenant  
Adrian Gutierrez

**And**

Jignesh Parikh Landlord

Alexandra Yule and Adrian Gutierrez (the 'Tenant') applied for an order determining that Jignesh Parikh (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on January 8, 2026 and May 20, 2026.

Only the Tenants attended the hearing.

As of 9:04am, the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

**Determinations:**

**Preliminary Issue:**

1. At the hearing on January 8, 2026, the Board determined that the Landlord had not been adequately served with the Notice of Hearing, and it would be procedurally unfair to proceed with the hearing.
2. The application was therefore adjourned and an interim order was issued on January 19, 2026, requiring the Tenants to:
  - a) Serve the Landlord, the Landlord's agent and the Landlord's realtor a copy of the application and documents they intend to rely upon on or before February 15, 2026;
  - b) Serve the Landlord, the Landlord's agent and the Landlord's realtor the Notice of Hearing (NOH) no later than 15-days after the Board's issuance; and

- c) file a certificate of service no less than 7 days prior to the hearing identifying the means of the completed service on the Landlord and substantiating documentation, the order states:
3. Paragraph 3-4 of the interim order specified how the documents were to be served on the Landlord:

It shall be deemed to be valid alternative service on the Landlord of the Application and any other documents the Tenant serves on the Landlord with respect to this matter so long as on or before February 15, 2026 the Tenant serves the Landlord with a copy of the Application and this Order by the following means:

- a. By e-mail to parikhmann1@gmail.com;
- b. By e-mail to jparikh986@gmail.com;
- c. By e-mail to jignesh7774@gmail.com;
- d. By e-mail to gstherealorno1@gmail.com;
- e. By text message to 647-830-1441; and
- f. By text message to 705-220-9475.

. . . This service shall be completed in all methods identified in paragraph 3 unless the Landlord has provided confirmation in writing to the Tenant of an alternative means by which they wish to receive service of documents in respect of this matter prior to that time.

4. At the hearing on May 20, 2026. the Tenants agree that they did not comply with the interim order. Alexandra Yule stated they have not had any communication with the Landlord since they moved from the rental unit, misread the order and states it was an 'oversight'. Adrian Gutierrez stated that he was unsure if they did send the documents how they would prove it came to the attention of the Landlord.
5. The Tenants have not complied with the interim order or the followed the clearly outlined steps within the order. Further, the interim order is clear that the Tenants are responsible for serving the documents using the required methods, but are not required to establish that the documents actually came to the attention of the Landlord. Had the Tenants followed the interim order and the Landlord did not attend the hearing, the matter would have moved forward as uncontested.
6. I turned my mind to LTB Guideline 1 and whether a further adjournment would be appropriate, I do not believe it would be appropriate or a good use of the Board's resources in the circumstances. While the Tenants submit that this was an oversight, the interim order was straightforward and clear. I do not find the Tenants were diligent in reviewing the interim order and no reasonable explanation was given as to why the Tenants did not comply with the interim order or failed to take ant steps to serve the application, NOH and documentation. I find it unlikely that the Tenants would comply with another interim order. Therefore, I dismissed the Tenants' applications.

**It is ordered that:**

1. The Tenant's application is dismissed.

**May 25, 2026**  
**Date Issued**

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**Angela Smith**  
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.