



Order under Section 30 Residential Tenancies Act, 2006

Citation: Usman v Amstar Pool I LP, 2026 ONLTB 42283

Date: 2026-06-01

File Number: LTB-T-010232-25

In the matter of: 1005, 5600 Sheppard Ave. E Scarborough
City of Toronto ON M1B2L4

Between: Muhammad Usman Tenant
Madiha Rehman

And

Amstar Pool I LP Landlord

The capitalized word “Landlord” and/or “Tenant” refer to all parties identified as each at the top of the order.

Muhammad Usman and Madiha Rehman (the 'Tenant') applied for an order determining that Amstar Pool I LP (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 heard by videoconference on May 26, 2026.

The Landlord's Legal Representative Matt Anderson and the Tenant Madiha Rehman attended the hearing.

Determinations:

1. This Member raised as a preliminary issue that the Tenant's evidence had not been compiled into one document brief as required by the interim order issued by the Board on August 18, 2025.
2. The Tenant submitted she was not aware of this requirement because it was her husband who attended the Adjudicative Case Conference (ACC). The main evidence they want to rely on is the order from the city; the Tenant requested to proceed, relying on this one

document. In the alternative, the Tenant requested an adjournment so the evidence could be properly submitted.

3. The Landlord's Legal Representative submitted the matter should not be adjourned, it should be dismissed for non-compliance. Prior to the ACC, the Tenant sent an email with approximately 14 attachments; at the ACC the issue of proper disclosure was discussed, including the evidence being properly organized and served. The Tenant Muhammad Usman knew this. Further, the Tenant acknowledged the Landlord's document brief, which was in the proper format, no steps were taken to organize and resubmit/serve their evidence. An interim order is issued for a reason; parties are expected to comply, otherwise the weight of such an order is diminished. Further the matter is old, concerning issues in 2024, which prejudices the Landlord as the witness pool of those the necessary knowledge is greatly depleted.
4. Based on the submissions before me, the Tenant's application is dismissed; the Tenant did not exercise due diligence. Interim order LTB-T-010232-25-IN issued by the Board on August 18, 2025, is clear; it required the parties to submit evidence by a specified deadline and set out the potential consequences if a party did not comply. Tenant did not abide by the interim order. The order says on or before September 18, 2025, the Tenant shall "provide the Landlord and file with the LTB a copy of all documents, pictures, and other evidence they intend to rely on at the hearing". The order also says:

6. If a party does not comply with the deadlines for disclosure as detailed above, the Member may refuse to accept the evidence or consider the issues not disclosed.

8. To ensure an expeditious hearing, submissions from the parties shall follow the requirements of the Board as per Rule 19 and the *Practice Direction on Evidence* and can be obtained from the Landlord and Tenant Board website.

9. For clarity, all documents, photographs, and other items provided to the parties and the LTB must:

- 1) be readable;
- 2) have consecutively numbered pages; and
- 3) include a list or table of contents identifying each item in order, and by page number, if more than one item is being submitted.

5. This is a joint tenancy, as such, the joint tenants are expected to act together. It is undisputed that the issue of proper disclosure was raised at the ACC. That the Tenant's husband did not relay the disclosure requirements to this Tenant is not a justification for non-compliance; not only should the Tenant Muhammad Usman have passed on any necessary information resulting from the ACC, the Tenant, Madiha Rehman, should also have ensured she was properly prepared for the hearing.
6. As to proceeding based on the city order, there is no certificate of service on file for this 32-page document, and the document appears to have been only posted to the portal and not properly served to the other side.

It is ordered that:

1. The Tenant's application is dismissed.

June 1, 2026
Date Issued

Diane Wade
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.