



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

Citation: Navidl v Singh Pahal, 2026 ONLTB 49317

Date: 2026-06-22

File Number: LTB-T-022090-26-RV

In the matter of: 62 Laskin Drive
Vaughan ON L6A5A4

Between: Rozita Navidl Tenant
Occupant Daughter
Occupant Son
Occupant Grandchild

And

Rajinder Singh Pahal Landlord

Review Order

Rozita Navidl, Occupant Daughter, Occupant Son and Occupant Grandchild (the 'Tenant') applied for an order determining that Rajinder Singh Pahal (the 'Landlord') :

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.
- did not give the Tenant 72 hours to remove their property from the rental unit or from some place close to the rental unit after the Sheriff evicted the Tenant.

This application was resolved by order LTB-T-022090-26 issued on June 8, 2026.

On June 18, 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.

Determinations:

1. The Tenant's request to review largely restates the Tenant's position on issues that were raised and addressed at the original hearing and voices their disagreement with the Member's determinations.
2. Interpretation Guideline 8 - Review of an Order states:

A review is not an appeal or an opportunity to change the way a case was presented.

The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient evidence before the Board to support its conclusions. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality.

TSL-51694-14-IN-RV (Re), 2015 CanLII 23959 (ON LTB) at para 10

3. The Tenant's disagreement with the Member's determinations is not sufficient grounds for review. There is no indication that the Member applied improper principles in assessing the evidence introduced in this case or that there was insufficient evidence before the Board to support the Member's conclusions.
4. The Tenant takes issue with the Member drawing adverse inferences from the Tenant's failure to produce evidence relating to the Tenant status as a tenant under the Act. Given that the parties were aware that this was an issue in dispute, I see no error in the Member drawing adverse inferences from the Tenant's failure to produce any evidence that they paid rent for the first year of the tenancy, from the Tenant's failure to produce any photographs of the Tenant inside the rental unit, or from the Tenant's failure to provide any other documentary evidence (e.g. identification, tax returns, mail) showing that they resided in the rental unit.
5. There was a plethora of evidence in this case (most notably the "three-year lease" to February 2028, the "prepaid rent" to February 2027, and the familial relationship between the Tenant/Occupants and the Former Landlord/Mortgagor in Default) to support the Member's finding that there was no genuine tenancy in this case. While the Member may have made some errors in the assessment of the evidence, I find these errors to be minor rather than serious given the substantial preponderance of the evidence that there was no genuine tenancy in this case.
6. As a result, based on 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.

It is ordered that:

1. The request to review order LTB-T-022090-26 issued on June 8, 2026 is denied. The order is confirmed and remains unchanged.

June 22, 2026
Date Issued

Richard Ferriss
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.