



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

Citation: Panchal v Mistry, 2026 ONLTB 49731

Date: 2026-06-30

File Number: LTB-T-045755-25-RV

In the matter of: 76 Washburn Drive
Guelph ON N1E0B3

Between: Harshit Panchal Tenant

And

Ketankumar Mistry Landlord

Review Order

Harshit Panchal (the 'Tenant') applied for an order determining that Ketankumar Mistry (the 'Landlord') :

- harassed, obstructed, coerced, threatened or interfered with the Tenant.

The Tenant also applied for an order determining that the Landlord collected or retained money illegally.

This application was resolved by order LTB-T-045755-25 issued on February 4, 2026.

On April 14, 2026, the Landlord requested a review of the order and that the order be stayed until the request to review the order is resolved.

On April 15, 2026, interim order LTB-T-045755-25-RV-IN was issued, staying the order issued on February 4, 2026.

This request was heard by videoconference on June 22, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord did not attend the hearing held on January 27, 2026, and after the hearing, the Landlord was ordered to reimburse the Tenant \$1,500.00 of an unpaid balance on his last month's rent deposit.
2. The Landlord filed his request for a review alleging that he was not reasonably able to participate in the hearing held on January 27, 2026, because he had moved from Fergus

to the rental unit address in Guelph on July 25, 2025. The notice of hearing was mailed by the Board to the Landlord's old Fergus address on December 30, 2025.

3. I found that the Landlord was not reasonably able to participate in the proceeding held on January 27, 2026, and I proceeded to hear the application *de novo*.
4. The Tenant said that he moved out of the rental unit on May 31, 2025, upon agreement with the Landlord. When he vacated the rental unit, he said that the Landlord only reimbursed him \$2,000.00 of his \$3,500.00 last month's rent deposit.
5. The Landlord testified that he did, in fact, receive a last month's rent deposit of \$3,500.00 at the beginning of the tenancy, and he withheld \$1,500.00 for cleaning a "mess" left by the Tenant, and also because there were unpaid utilities.
6. I informed the Landlord that, pursuant to section 105 of the *Residential Tenancies Act, 2006* (the 'Act'), he is not entitled to withhold any amount from the last month's rent deposit for the purpose of cleaning or unpaid utilities.
7. My determination above, in paragraph #6, is identical to that in the original order. Therefore, despite the Landlord's review request being granted, the original order is confirmed, and the stay on the original order will be lifted.

It is ordered that:

1. Although the request to review order LTB-T-045755-25 issued on February 4, 2026, was granted, the original order is confirmed and remains unchanged.
2. The interim order LTB-T-045755-25-RV-IN issued on April 15, 2026, is cancelled. The stay of order LTB-T-045755-25 is lifted immediately.

June 30, 2026
Date Issued

Nancy Morris
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.