



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

File Number: LTB-L-003354-26-RV

In the matter of: UNIT 303, 50 BRIAN HARRISON WAY
SCARBOROUGH ON M1P5J4

Between: Nalayine Balarajan Landlord

And

Kajan Kandasamy Tenants
Jeyasoruby Kajan

Review Order

Nalayine Balarajan (the 'Landlord') applied for an order to terminate the tenancy and evict Kajan Kandasamy and Jeyasoruby Kajan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-003354-26 issued on March 27, 2026.

On April 15, 2026, the Tenants requested a review of the order and that the order be stayed until the request to review the order is resolved.

An amended order, LTB-L-03354-26-AM, was issued on April 21, 2026.

On April 21, 2026 interim order LTB-L-003354-26-RV-IN2 was issued, staying the order issued on March 27, 2026 and the amended order issued on April 21, 2026.

This application was heard by videoconference on June 16, 2026.

Only the Landlord and their legal representative, S Kalaimathian, attended the hearing. I was satisfied that the Tenants had received the Notice of Hearing and there was no request to adjourn before me. Based on this, I proceeded to hear the review at 1:43 p.m.

Determinations:

1. Since the Tenants did not appear at the hearing to support their review, I find that this review has been abandoned.

2. I note that the request to review was based both on an inability to participate and serious error. The Tenants' concerns with regards to the serious error relate appear to have been addressed by the amendment issued on April 21, 2026 which corrects the date on which rent is due in the tenancy.
3. The interim order dated April 16, 2026, which directed the matter to a review hearing, includes the caution that a failure to attend the review hearing may be viewed as an abuse of process and may result in costs being ordered against the Tenants.
4. The Landlord requests costs for their legal costs incurred in having their legal representative prepare for and attend the review hearing. Rule 23.2 provides that representation and preparation fees are limited to \$100 per hour to a maximum of \$700. The Landlord submits that 5 hours should be awarded to incorporate their legal fees. However no further details were provided about the actual number of hours spent or billed by the legal representative, despite an invitation to provide such information. Accordingly, I conclude that the request for 5 hours is based on the amount charged by the legal representative, rather than the actual number of hours spent on the matter.
5. The hearing block was scheduled for 1:00 p.m. and the hearing was completed by approximately 1:45 p.m. The Landlord's legal representative likely spent some time preparing (at a minimum an updated L1/L9 update sheet was filed) and likely signed in at least a few minutes before the scheduled hearing time. This is an uncomplicated arrears application so I see no obvious reason that lengthy preparations would have been necessary. In these circumstances I find that an award of \$100.00, representing 1 hour of legal representation, is appropriate.

It is ordered that:

1. The request to review order LTB-L-003354-26 issued on March 27, 2026 is denied. The order is confirmed and remains unchanged.
2. The interim orders issued on April 16, 2026 and April 21, 2026 are cancelled. The stay of order LTB-L-003354-26 is lifted immediately.
3. The Tenants shall pay \$100.00 to the Landlord for costs by July 11, 2026.

June 30, 2026
Date Issued

Dawn Carr
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.