



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

**File Number:** SOL-22695-21-RV

**In the matter of:** 316 BLACK DRIVE  
MILTON ON L9T6S2

**Between:** Harishkumar Baskaran Landlord

**and**

Nisha Sivakumar Tenants  
Sivakumar Chandramohan

**Review Order**

Harishkumar Baskaran (the 'Landlord') applied for an order requiring Sivakumar Chandramohan and Nisha Sivakumar (the 'Tenants') to pay compensation for the damages caused by them or a person they permitted in the residential complex.

This application was resolved by order SOL-22695-21 issued on August 17, 2021.

On September 14, 2021, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing in accordance with Rule 26.9 of the Board's Rules of Procedure.

**Determinations:**

1. The Landlord alleged that they were not reasonably able to participate in the proceedings of August 4, 2021, which resulted in a dismissal of the Landlord's application. The Landlord also alleges that order SOL-22695-21 contains a serious error.
2. In support of the request to review the order, the Landlord stated that he reached a mutual agreement with the Tenant not to attend the hearing. However, he has since regretted his decision because the Tenant is 'blackmailing' him.
3. The Landlord and Tenant Board Interpretation Guideline 8 states that *"The LTB will only exercise its discretion to grant a review when it is satisfied the order contains a serious error, a serious error occurred in the proceeding or the requestor was not reasonably able to participate in the proceeding"*.

4. The Landlord has not identified a serious error in the order and by his own admission, voluntarily chose not to attend the hearing. As stated by the Court in *Q Res IV Operating CP Inc. v. Berezovs'ka 2017 ONSC 5541* “[I]f parties are not diligent in dealing with legal proceedings, then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely cost-effective and final orders”.
5. Based on the submissions made in the request, I am not satisfied that the Landlord was not reasonably able to participate in the proceeding or that the order contains a serious error.

**It is ordered that:**

1. The request to review order SOL-22695-21 issued on August 17, 2021, is denied. The order is confirmed and remains unchanged.

**September 17, 2021**

**Date Issued**



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Member, Landlord and Tenant Board

Southern-RO  
119 King Street West, 6th Floor  
Hamilton ON L8P4Y7

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.