



**Order under Section 87
Residential Tenancies Act, 2006**

File Number: LTB-L-080513-24

In the matter of: 35 Bethune ave
Hamilton ON L0R1P0

Between: Shamam Toma Landlord

And

Shervan Nelson Former Tenants
Mirela Minea

Shamam Toma (the 'Landlord') applied for an order requiring Shervan Nelson and Mirela Minea (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on December 22, 2025.

Only the Landlord attended the hearing.

The Former Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Landlord. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence

Determinations:

1. This application has been previously adjourned on September 3, 2025, on request of the Landlord because the Landlord did not provide proof of service of the L10 application and the Notice of Hearing on the Former Tenants. See DOC-6320349.
2. The Landlord provided proof of service of the L10 application served on the Former Tenants on October 2, 2025. See DOC-6514371.
3. The attachments to the proof of service only show that the Landlord served the L10 application on the Former Tenants. See DOC-7028112
4. The Landlord did not serve the Notice of Hearing on the Former Tenants.

5. Section 189.0.1(2) sets out the Landlords obligation to give the former tenants a copy of the application and a copy of the notice of hearing.

Notice from applicant

(2) The applicant shall, within the time set out in the Rules, give the tenant or former tenant,

(a) a copy of the application; and

(b) a copy of any notice of hearing issued by the Board in respect of the application.

6. Since the Landlord did not provide a copy of the notice of hearing on the former tenants, the Landlord's application could not proceed.

It is ordered that:

1. The Landlord's application is dismissed.

January 6, 2026
Date Issued

Robert Patchett
Vice Chair, 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.