



Order under Section 89 Residential Tenancies Act, 2006

File Number: LTB-L-091131-23

In the matter of: 204, 601 SOMERSET ST W
OTTAWA ON K1R5K1

Between: James Helmer Landlord

And

Felicity Lau Former Tenants
Christopher Regan-conners

James Helmer (the 'Landlord') applied for an order requiring Felicity Lau and Christopher Regan-conners (the 'Former Tenants') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

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 February 18, 2025, on request of the Landlord because the Landlord did not serve the Notice of Hearing on the Former Tenants. See DOC-5073212.
2. The Landlord indicated in this hearing that they did not serve the Notice of Hearing on the Former Tenants.
3. 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.

4. 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 5, 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.