



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-081843-25

In the matter of: 32 PALLESCHI DRIVE
BRAMPTON ON L6P2R9

Between: DEODATH SINGH Landlord

And

NICOLE LUCIENBAKER Tenant

Deodath Singh (the 'Landlord') applied for an order to terminate the tenancy and evict Nicole Lucienbaker (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on December 17, 2025.

The Landlord's Legal Representative, Letitia Webley, and the Tenant attended the hearing.

Determinations:

1. At the hearing, the Landlord's Legal Representative advised that the Tenant vacated and, as such, the Landlord was only seeking the costs of filing the application, being \$186.00.
2. The Tenant stated that she vacated on November 7, 2025 and did her best to move out as soon as she was able to and never told the Landlord that she was refusing to vacate. The Tenant was opposed to paying the filing fee on the basis that she did move out shortly after the termination date in the notice and was a single mother with three children.
3. As explained at the hearing, the Board does not typically award the filing fee to the landlord in these types of cases as the ground for termination is based on a no fault ground, meaning there was no fault of the Tenant which led to the notice being served. In addition, there was no evidence to suggest that the Tenant was refusing or unwilling to move and she did so a week after the termination date in the notice. In my view, the Landlord made a business decision to file the application with the Board in case the Tenant did not vacate, which I do not find appropriate to pass on to the Tenant.
4. Accordingly, the application is dismissed without costs.

It is ordered that:

1. The Landlord's application is dismissed.

January 6, 2026

Date Issued

Rachel Gibbons

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