



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-058802-25

In the matter of: Main, 21 Hewitson Rd
Stoney Creek ON L8E2T3

Between: Erika Flores Tenant

and

Pat DeLuca Landlord

Erika Flores (the 'Tenant') applied for an order determining that Pat DeLuca (the 'Landlord'):

- entered the rental unit illegally.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

An Adjudicative Case Conference ('ACC') was heard by videoconference on December 22, 2025.

Only the Landlord's Legal Representative, Paul Startek, and the Landlord attended the ACC.

As of 9:32am, the Tenant was not present or represented at the ACC although properly served with notice of this ACC by the LTB. There was no record of a request to adjourn the ACC.

Determinations:

1. Since the Tenant did not attend the ACC to support their application, I find that this application has been abandoned.

Costs

2. The Landlord's Legal Representative is seeking costs of \$225.00 because the Tenant did not advise the Landlord that the Tenant would be abandoning their application.
3. I find it reasonable in the circumstances to deny the Landlord's request for costs in this particular situation. There is no evidence that the application was filed as an abuse of process or that there is any history of similar behaviour from this Tenant. Although the Tenant should have notified the Landlord if they were not intending to proceed with their application, the Tenant is a layperson and may not have known to inform the Landlord and the Board that they no longer intended to pursue their application. As such, the request for costs is denied.

It is ordered that:

1. The Tenant's application is dismissed.

January 12, 2026

Date Issued

Candace Aboussafy

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.