



**Order under Section 69 and under Section 79
Residential Tenancies Act, 2006**

File Number: LTB-L-085349-25

In the matter of: Room 1, 760 KING ST E
HAMILTON ON L8M 1A6

Between: Omiira Homes Landlord

and

Nahim Dimeji Atanda Tenant

Omiira Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Nahim Dimeji Atanda (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 6, 2026.

Only the Landlord's agent Anita Mann attended the hearing.

As of 1:44 pm, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. 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. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Landlord's uncontested evidence proves on a balance of probabilities that the Landlord discovered on October 31, 2025 that the Tenant had abandoned the rental unit that the rent is in arrears.
3. The application is amended to include a claim for relief under section 79 of the *Residential Tenancies Act, 2006* (the 'Act').
4. The Landlord withdrew its claim for monetary relief.
5. No costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of October 31, 2025, the date the Tenant moved out of the rental unit.

January 16, 2026
Date Issued

Nersi Makki
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.