



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-091152-25

In the matter of: Apartment 1, 6649 HWY 35
COBOCONK ON K0M1K0

Between: Edmond Charles Benjamin Landlord

And

Miranda Penna Tenant
Joe Silk

Edmond Charles Benjamin (the 'Landlord') applied for an order to terminate the tenancy and evict Miranda Penna and Joe Silk (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

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 January 7, 2026.

Only the Landlord's representative, Sriram Rangan, attended the hearing.

As of 9:50 a.m. 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 Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant vacated the rental unit on December 7, 2025.
3. On October 8, 2025, the Landlord gave the Tenant an N8 notice of termination, with a termination date of December 31, 2025.
4. The Tenant was in possession of the rental unit on the date the application was filed.
5. Pursuant to section 37(2) of the Residential Tenancies Act, 2006 ("Act"), the tenancy terminated on December 7, 2025, which is the termination date on the N8 notice.

6. Following the hearing, and upon further reflection, I find that the Tenant complied with the N8 notice and vacated the rental unit by the termination date. As such, I find that the Tenant should not be ordered to pay the filing fee. The Landlord chose to file this application and incur the filing fee without waiting to find out if the Tenant was going to move out by the termination date.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of December 7, 2025.

January 20, 2026

Date Issued

Vinuri Sivalingam

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.