



Order under Section 88.2 Residential Tenancies Act, 2006

Citation: Islam v Bent, 2026 ONLTB 9115

Date: 2026-02-02

File Number: LTB-L-058601-24-RV

In the matter of: UPPER LEVEL, 463 ELIZABETH ST
OSHAWA ON L1J5S9

Between: MD Zahidul Islam Landlords
Hasina Pervez Islam

And

Brian Bent Tenants
Nigeba Black

MD Zahidul Islam and Hasina Pervez Islam (the 'Landlords') applied for an order to terminate the tenancy and evict Brian Bent and Nigeba Black (the 'Tenants') because:

- the Tenants, another occupant of the rental unit or a person the Tenants permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex;
- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has wilfully caused undue damage to the premises.

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

The Landlords also applied for an order requiring the Tenants to pay the Landlords' reasonable out-of-pocket expenses that are the result of the Tenants' failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on January 13, 2026.

Only the Landlords attended the hearing.

As of 1:30 p.m., the Tenants were 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. By way of background, the tenancy agreement between the Landlords and the Tenants was terminated on June 17, 2025. As such, the N7 notice of termination is moot. The hearing

proceeded on the basis only of the unpaid water bill as set out in the Landlord's amended L2 application filed on January 20, 2025.

2. Prior to the hearing, the Landlords submitted several documents, including updated water, hydro, and gas bills. At the hearing, it was clarified that the only amended application filed with the Board was submitted on January 20, 2025, and the Board lacked jurisdiction to amend the application without proper notice to the Tenants. Because the Tenants did not attend the hearing, and I was not satisfied that they were aware the Landlords were seeking an amount higher than what was originally claimed, the matter proceeded solely on the claim for unpaid water bills totaling \$2,484.80.
3. The Landlords submitted a water bill dated October 17, 2024 [DOC-4876093], along with a utility account ledger [DOC-4876086], as evidence. They testified that the Tenants were responsible for all utility accounts for the rental unit however, because the Tenants failed to pay the water bill, the outstanding amount owing to the City of Oshawa was transferred to the property tax account.
4. Although the amounts owing differed between the two documents submitted by the Landlords, I am satisfied that the Tenants did not pay the full balance claimed in the application. Accordingly, the Landlords' request for reimbursement of the unpaid water bill is granted.
5. The Landlords also incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenants shall pay to the Landlords \$2,484.80, which represents the reasonable out-of-pocket expenses the Landlord has incurred or will incur as a result of the unpaid utility costs.
2. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
3. The total amount the Tenants must pay the Landlords is \$2,670.80.
4. If the Tenants do not pay the Landlords the full amount owing on or before February 13, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 14, 2026 at 4.00% annually on the balance outstanding.

February 2, 2026
Date Issued

Susan Priest
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.