



Order under Section 89 Residential Tenancies Act, 2006

Citation: CB PROPERTY GROUP-2693263 Ontario Inc v Leonard, 2026 ONLTB 9194

Date: 2026-01-27

File Number: LTB-L-068343-24

In the matter of: 1, 20 KING STREET
Chesterville ON K0C1H0

Between: CB PROPERTY GROUP-2693263 Ontario Inc Landlord

And

Brandon Leonard Former Tenant

CB PROPERTY GROUP-2693263 Ontario Inc (the 'Landlord') applied for an order requiring Brandon Leonard (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

This application was heard by videoconference on November 18, 2025.

Only the Landlord's employee, C. Beauregard, attended the hearing.

As of 10:35 a.m., the Former Tenant was not present or represented at the hearing.

Determinations:

1. At the outset of the hearing, I raised a preliminary issue with respect to service of the L10 Application and Notice of Hearing.
2. Section 189.0.1 of the *Residential Tenancies Act, 2006* (the 'Act'), and Rule 5.8 of the LTB's Rules of Procedure require a landlord to serve a former tenant with a copy of the L10 application and the Notice of Hearing 30 days in advance of a hearing. Section 191(1.0.1) of the Act and Rule 3.3 provide the accepted ways a landlord may serve a former tenant with these materials.

3. Rule 3.3(c) of the Board's Rules of Procedure provide that, in addition to methods of service identified in the RTA a document may be served on a tenant or former tenant no longer in possession of a rental unit, by:

...

1. by email if:

1. during the tenancy the Tenants or former Tenants had consented in writing to service by email; and
2. **if it can be proven that the contents actually came to the attention of the Tenants or former Tenants.**

(Emphasis added)

4. The Landlord's employee testified that they served the Tenant through Facebook Messenger, however, on review of the documentary evidence submitted by the Landlord, the L10 Application and Notice of Hearing was served to the spouse of the Former Tenant, additionally, Facebook Messenger is not a valid method of service.
5. The Landlord's employee testified that a copy of the L10 Application and Notice of Hearing were served on the Former Tenant via e-mail but they were unaware if the e-mail came to the attention of the Former Tenant. The last e-mail communication had with the Former Tenant was February 27, 2024, 8 months before the Former Tenant vacated the rental unit.
6. The Landlord's employee testified that it has been difficult to contact the Tenant. The Tenant has blocked them from all platforms available.
7. This is the second hearing scheduled by the Board with respect to this application. By the time of this hearing, the Landlord has had 14 months to locate and serve the Former Tenant and by their own admission, have been unable to do so.
8. Rule 3.3 provides that for email service of an L10 Application and Notice of Hearing on a Former Tenant to be effective, there must have been written consent to email service during the tenancy and the Landlord must prove the contents of the e-mail came to the attention of the Former Tenant. In this case, the Landlord's employee submitted that the Former Tenant has not responded to their e-mail, and they cannot confirm if the e-mail came to the attention of the Former Tenant. As a result, I find that the Landlord is not in a position to prove actual service.
9. In the above circumstances, I do not find an adjournment appropriate. As a result, the Landlords' application shall be dismissed as I am not satisfied that the Landlords served the L10 Application or Notice of Hearing on the Former Tenant at least 30 days before the hearing as required by the Act.

It is ordered that:

1. The Landlord's application is dismissed.

January 27, 2026
Date Issued

Mayra Sawicki
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.