



Order under Section 87 Residential Tenancies Act, 2006

File Number: LTB-L-100717-24

In the matter of: 47 DADEN OAKS DR
Brampton ON L6P3R7

Between: Bimla Pabla Landlord

And

Rafeek Juman Former Tenant

Bimla Pabla (the 'Landlord') applied for an order requiring Rafeek Juman (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on January 27, 2026.

Only the Landlord's Agent Harveen Pabla attended the hearing.

As of 10:54 a.m., the Former Tenant was not present or represented at the hearing.

Determinations:

1. I am not satisfied that the Landlord served the Former Tenant with the application and Notice of Hearing at least 30 days before the hearing in accordance with subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 3.3 of the LTB's Rules of Procedure.
2. On September 11, 2025, the Board issued a direction granting the Landlord's request for alternate service, permitting the Landlord to serve the Former Tenant by email. The direction issued by the Board directs the Landlord to attend the hearing prepared to show proof that the email actually came to the attention of the Former Tenant.
3. This direction is in accordance of Rule 3.3 of the Board's Rules which state:

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:

- a) leaving it at the place where mail is ordinarily delivered to the person, sliding it under the door or putting it through a mail slot in the door of the tenant or former tenant's residence;

- b) sending the document(s) by courier to the address where the tenant or former tenant resides; or
- c) by email if:
 - i) during the tenancy the tenant or former tenant had consented in writing to service by email; and
 - ii) **if it can be proven that the contents actually came to the attention of the tenant or former tenant.**

4. The Landlord submitted a Certificate of Service showing that on December 13, 2025, the Landlord emailed the Former Tenant a copy of the application and the Notice of Hearing. The Landlord provided no evidence showing the email actually came to the attention of the Former Tenant as required by Rule 3.3 and the September 11, 2025 Member direction. As such, I was not satisfied the Former Tenant had been served with the required documents in advance of the hearing.
5. The Landlord's Agent confirmed they had not heard anything in response from the Former Tenant. The Landlord's Agent also submitted they had no other viable option to serve the Former Tenant.
6. Based on the submissions made by the Landlord's Agent, I was not convinced the Landlord had a reasonable prospect of serving the application and the Notice of Hearing to the Former Tenant if the file was adjourned. Not finding sufficient basis to warrant an adjournment, I dismissed the application due to a lack of service.

It is ordered that:

1. The Landlord's application is dismissed.

January 29, 2026
Date Issued

John Cashmore
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.