



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-048052-25

In the matter of: 113 WINDSOR ST
THUNDER BAY ON P7B1T9

Between: Xirui Gu Tenant

And

Steven Lipson Landlords
Lady Avellana

Xirui Gu (the 'Tenant') applied for an order determining that Steven Lipson and Lady Avellana (the 'Landlords'):

- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- did not give the Tenant a written tenancy agreement for their care home unit or the agreement did not include information about care services and meals and/or the charges the Tenant agreed to pay for them.

This application was heard by videoconference on February 9, 2026.

Only the Landlords and the Landlords' Representative, Robert Tindall, attended the hearing.

As of 9:40 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.

Determinations:

1. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.

Costs against the Tenant:

2. At the hearing the Landlords' legal representative requested that the Board order costs against the Tenant for not attending the hearing and causing unnecessary legal costs for the Landlords.

3. Pursuant to the *Board's Interpretation Guideline 3*, costs are only awarded when a party acts unreasonably in the proceedings or if their conduct is unreasonable and causes undue expense or delay.
4. In my view, I do not find that it would be appropriate to order costs against the Tenant. As such, the Landlords' request for costs is denied.
5. This is first hearing scheduled by the Board and there have not been any previous adjournments. As such, I cannot conclude that the Tenant's conduct was unreasonable and caused undue expense or delay.
6. While it is unclear as to why the Tenant did not attend the hearing, the Tenant filed the application on June 10, 2025, and the Board's records indicate that the Tenant has shown an interest in the matter and uploaded further documents to the portal.
7. As such, I am unable to conclude that the Tenant has acted unreasonably during the hearing of this matter or that her conduct has wilfully caused undue delays. The Landlords' request for costs is therefore denied.

It is ordered that:

1. The Tenant's application is dismissed.

February 18, 2026
Date Issued

Colette Myers
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.

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