



**Order under Section 87
Residential Tenancies Act, 2006**

File Number: LTB-L-076872-24

In the matter of: 263 FOREST ST
CHATHAM ON N7L2B1

Between: Ryan Bergie
Breanne Bergie
Landlords

And

Tammy Rea
Trenton Rea
Former Tenants

Ryan Bergie and Breanne Bergie (the 'Landlords') applied for an order requiring Tammy Rea and Trenton Rea (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenants owe.

This application was heard by videoconference on February 11, 2026.

Only the Landlords and the Landlords' Legal Representative Samantha Lee attended the hearing.

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

Determinations:

1. I am not satisfied that the Landlords served the Former Tenants with the application and Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 of the LTB's Rules of Procedure.
2. The Board's records show this matter was previously adjourned from October 2, 2025 because the Landlords had not served the Former Tenants with a copy of the application and the Notice of Hearing. The February 11, 2026 hearing date was peremptory on the Landlord to proceed.
3. The Landlords did not file a Certificate of Service in advance of the February 11, 2026 hearing showing they served the Former Tenants with a copy of the application and the Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 and 5.8 of the Board's Rules of Procedure.
4. At the hearing, the Landlords requested an adjournment of the peremptory hearing because they had not served the Former Tenants the required documents. The Landlords

explained that they had discovered new employer information for the Former Tenants. I asked the Landlords why they had not served the Former Tenants at this new place of employment and the Landlords reply was that there was not 30 days between the discovery of the new employer and the hearing date. I asked the Landlords what they had done in the time they did have and the Landlords responded they waited for the hearing to request an adjournment.

5. I pointed out to the Landlords they could have served the Former Tenants giving them as much notice as possible. The Former Tenants may have attended the hearing prepared to proceed. At worst, the Landlords could have attended the hearing prepared to illustrate they had been diligent in attempting to move their application forward by serving the documents as soon as they could, particularly with the knowledge the hearing date is peremptory on them to proceed after they already had the benefit of an adjournment for service.
6. The Board is required to hold expeditious hearings. This matter had already been adjourned for service and the hearing was peremptory on the Landlord to proceed. When I considered the Landlord's submissions, Rule 5.17 and 21.8 of the Board's Rules of Procedures and section 183 of the *Residential Tenancies Act, 2006*, (the Act), I did not find there was a reasonable basis to adjourn the file again. I denied the adjournment request and dismissed the file due to a lack of service.

It is ordered that:

1. The Landlords' application is dismissed.

February 18, 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.