



**Order under Section 57
Residential Tenancies Act, 2006**

File Number: LTB-T-037619-25

In the matter of: Basement apartment, 94 Kings cres7
Ajax ON L1S2M7

Between: Terry Wolske Tenant

And

Gazi Musa Ahmed Landlord

Terry Wolske (the 'Tenant') applied for an order determining that Gazi Musa Ahmed (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on January 12, 2026. The Tenant attended the hearing but did not speak with duty counsel prior to the hearing.

As of 9:21 AM, the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the Landlord and Tenant Board ('LTB').

Determinations:

1. The Landlord and Tenant Board's ('LTB') records confirm that a copy of the T5 application was not issued to the Landlord when the Notice of Hearing was issued to the parties on August 8, 2025. The Tenant confirmed at the hearing that he did not serve a copy of the T5 application on the Landlord.
2. Based on this information, it does not appear that the Landlord was provided with a copy of the T5 application. I stated at the hearing that it would be procedurally unfair to proceed to hear the T5 application as a result. The hearing was adjourned to allow the Tenant to serve a copy of the T5 application on the Landlord.
3. An interim order was issued January 20, 2026 which directed the Tenant to serve a copy of the T5 application on the Landlord by February 3, 2026 and also file a copy of a Certificate of Service with the LTB within 5 days of serving a copy of the T5 application on the Landlord.
4. In the interim order, the Tenant was provided with the information regarding how to serve the T5 application on the Landlord. The interim order notes if the T5 application is served on the Landlord by February 3, 2026 and a Certificate of Service is filed with the LTB

within 5 days, the LTB will schedule a new hearing date and issue a New Notice of Hearing.

5. The Tenant was advised at the hearing that if the Tenant does not serve a copy of the T5 application on the Landlord within two weeks and file a Certificate of Service within 5 days of serving the T5 application, the Tenant's T5 application would be dismissed. This information was also set out in the interim order issued on January 20, 2026.
6. The Tenant did not file a Certificate of Service with the LTB to support that the Tenant served the Landlord with a copy of the T5 application, as a result, the T5 application is dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

February 20, 2026
Date Issued

Kimberly Parish
Vice Chair, 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.