



Order under Section 87 Residential Tenancies Act, 2006

Citation: Huang v DeBruyn, 2026 ONLTB 16673

Date: 2026-02-26

File Number: LTB-L-050897-25

In the matter of: 502 PROMINENCE WAY
ORLEANS ON K4A5L3

Between: Jason Huang
Chelsea Qu
Landlords

And

Debra DeBruyn
Nicholas Lair
Former Tenants

Jason Huang and Chelsea Qu (the 'Landlords') applied for an order requiring Debra DeBruyn and Nicholas Lair (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenants owe.

This application was heard by videoconference on February 18, 2026.

Only the Landlord, Jason Huang attended the hearing.

As of 11:13 a.m. the Former Tenants were not present or represented at the hearing.

Determinations:

1. As explained below, the Landlords' application is dismissed.
2. I am not satisfied that the Landlords served the Former Tenants with the L10 application and Notice of Hearing ("NOH") using a method permitted in subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the "Act") and Rule 3.3 of the LTB's Rules of Procedure ("Rules").
3. The Former Tenants vacated the rental unit on February 1, 2025
4. The Landlords filed a certificate of service outlining the method of service the documents were served to the Former Tenants. The documents (L10 Application and NOH) were served to the Former Tenants on October 24, 2025, via mail to their "current residence".

5. The Board's Interpretation Guideline (No.11) mentions that *"If the landlord indicates that they served the application and notice of hearing by sending it to the former tenant's current residence and the tenant is not present at the hearing, the landlord must be able to explain at the hearing how they determined the former tenant's current residence."*
6. When the Board inquired as to how the Landlords determined the Former Tenants' current residence, the Landlord Jason Huang advised that when the Former Tenants vacated the rental unit, they had left behind their birth certificate. Sometime in March 2025, Jason Huang contacted the Former Tenants to inquire where he should mail the birth certificate, to which the Former Tenants provided the Landlords with an address where the document (birth certificate) could be mailed. The mailing address where the document (Birth Certificate) was mailed is the same address where the Landlords later served the L10 application and NOH.
7. Subsection 191(1.0.1) of the Act reads, despite subsection (1) a notice or document is sufficiently given to a tenant or former tenant who is no longer in possession of a rental unit,
 - (a) by handing it to the tenant or former tenant;
 - (b) by sending it by mail to the address where the tenant or former tenant resides;
 - (c) by handing it to an apparently adult person where the tenant or former tenant resides; or
 - (d) by any other means allowed in the Rules.

[Emphasis Added]

8. The use of the present tense word "resides" means a former tenant(s) current address. In other words, the address where the former tenant(s) is/are currently residing.
9. At the hearing, Jason Huang confirmed that he does not know whether the Former Tenants reside at the address where the L10 application and NOH were served. This means he does not know whether the address noted on the certificate of service is the Former Tenants current residence. He did not provide sufficient evidence of the reasonable steps the Landlords took to determine the current residence of the Former Tenants. I would have reasonably expected the Landlords to adduce such evidence to establish compliance with the Act and the Rules. The evidence adduced by the Landlords suggests, more likely than not, that the Landlords operated under an assumption that the address provided by the Former Tenants for the mailing of the birth certificate was the Former Tenants' current residence. It is equally possible the address provided by the Former Tenants to the Landlords with respect to the mailing of the birth certificate was a temporary forwarding address, or an address which may have belonged to either a colleague or a relative. Thus, I was not satisfied that the Landlords have established that the address noted on the certificate of service was the Former Tenants' current residence. The Landlords also did not provide sufficient evidence to establish that the documents of the L10 application and NOH, came to the attention of the Former Tenants (s.191(2)).
10. Accordingly, I was not satisfied the Landlords served the documents (L10 Application and NOH) in accordance with the Act and Rule 3.3 of the LTB's Rules of Procedure.
11. For the above noted reasons, the Landlord's application is dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

February 26, 2026

Date Issued

Inderdeep Padda

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.