



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

File Number: LTB-T-099355-23

In the matter of: 325 Edmonton Street
London ON N5W4Y3

Between: Jason Sager Tenant

And

JB Trucks and Stuff Landlord
John Brotzel

Jason Sager (the 'Tenant') applied for an order determining that JB Trucks and Stuff and John Brotzel (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on February 25, 2026.

The Tenant, the Landlord and the Landlord's legal representative, Carmen Dawdy, attended the hearing.

Determinations:

1. At the hearing, the Tenant sought to withdraw the application and I consented to the request.
2. The Landlord sought costs against the Tenant for causing unreasonable delay which caused the Landlord to incur additional legal costs because they chose to withdraw their application on this hearing date.
3. The parties first appeared before the LTB on August 20, 2024 and the matter was adjourned.
4. The parties were again before the LTB on April 1, 2025 which was adjourned due to scheduling overflow. A preliminary issue arose with respect to whether or not the successor Landlord should be named as a respondent party in the proceedings. At that hearing, the Tenant was opposed to amending the application to include the successor Landlord. This matter was not heard on this date, but the preliminary issue was noted on the LTB's adjournment sheet by the Member.
5. Indeed, as a preliminary issue at this hearing the naming of the proper respondent was raised by the Landlord's legal representative and the Tenant was given the opportunity to request to adjourn the matter to properly name the successor Landlord and to provide them notice of the application before the LTB.

6. The Tenant declined the adjournment and instead requested to withdraw the application as they were not well and no longer wished to pursue the matter as they were unsure of whether or not they would be successful as the successor Landlord did in fact ultimately demolish the rental unit.
7. Although I do find that the Tenant's actions of failing to amend their application to include the successor Landlord has caused further expense to the Landlord, I do not find any costs appropriate under the circumstances.

It is ordered that:

1. The application having been withdrawn, the LTB's file is closed.
2. The Landlord's request for costs is denied.

March 4, 2026
Date Issued

Terri van Huisstede
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.