



**Order under Section 87 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-029562-25

In the matter of: 126 ALGOMA DR
KLEINBURG ON L4H4H5

Between: KHIDHIR HASANI Landlord

And

Orville Young Former Tenant
Latoya Robertson

KHIDHIR HASANI (the 'Landlord') applied for an order requiring Orville Young and Latoya Robertson (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

KHIDHIR HASANI (the 'Landlord') applied for an order requiring Orville Young and Latoya Robertson (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

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

Only the Landlord's legal representative Yuvraj Bullar attended the hearing.

As of 9:04am, the Former Tenant was not present or represented at the hearing.

Determinations:

1. I am not satisfied that the Landlord served both Former Tenants with the application and Notice of Hearing 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.
2. This hearing was previously adjourned on December 2, 2025. Notes in the adjournment sheet indicate the Landlord's legal representative stated to the member the Landlord did not have authorization to serve the Former Tenant by email and the last communication with the Former Tenant by email was November 2024.

3. Board records indicate on February 12, 2026 the Landlord's legal representative requested an extension of time to find the Former Tenant and serve the documents. The request was denied on February 14, 2026.
4. At the hearing the Landlord's legal representative requested an adjournment and stated he was seeking alternative service permission to serve the Former Tenant by email.
5. The Landlord's legal representative stated he received a text from the Former Tenant Latoya Robertson sometime in August 2024 providing the Landlord's legal representative authorization to serve the Former Tenant documents and notices by email.
6. The Landlord's legal representative stated he recently found the text as he had technical issues with his mobile phone and was only recently reminded of the Former Tenant's authorization.
7. Providing a party with notice that a hearing is taking place is a central component of procedural fairness. It is unfair to make an order against a party without giving the party an opportunity to participate in the proceeding. Section 7 of the *Statutory Powers Procedure Act* establishes that a condition precedent to the Board's authority to run hearings in the absence of a responding party is that notice of the hearing has been given.
8. In my view the Landlord's legal representative's request to use and email that the Landlord did not provide proof of written authorization and an email that was last used by the Former Tenant more than 18 months ago is not sufficient for me to grant email service.
9. While I acknowledge the difficulties the Landlord has encountered in attempting to locate the Former Tenant, the evidence does not demonstrate that, since filing the application, the Landlord has exhausted all reasonable methods at his disposal to locate the Former Tenant including skip tracing.
10. The Landlord's legal representative stated that he was requesting an adjournment and permission from the Board for alternative service to use a skip trace service.
11. The Landlord's request for an adjournment to get a skip tracer to locate the Former Tenant was denied. I informed the Landlord's legal representative that permission is not required from the Board for the Landlord to obtain the services of a skip tracer, and I find that the Landlord has had sufficient time to find a method of contacting the Former Tenant. The Landlord filed the application on April 11, 2025, 10 months ago. The application was also already adjourned previously related to issues with service.
12. Considering the significant time already available to the Landlord to attempt to locate the Former Tenant, I am not persuaded that an adjournment would meaningfully improve the likelihood of finding the Former Tenant.
13. In accordance with Rule 5.17 the Landlord's application is dismissed because the Former Tenant was not served with the notice of hearing.
14. This order contains all reasons for the determinations and order made. No further reasons will be issued.

It is ordered that:

1. The Landlord's application is dismissed.

March 2, 2026
Date Issued

Greg Brocanier
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.