



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-001644-26

In the matter of: 1110, 181 MILL ST
TORONTO ON M5A1C8

Between: WDL 8 LP Landlord
c/o Tricon Residential

And

Emma De Rose Tenant

WDL 8 LP c/o Tricon Residential (the 'Landlord') applied for an order to terminate the tenancy and evict Emma De Rose (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on February 17, 2026.

Only the Landlord's Representative, Martin Zarnett, attended the hearing.

As of 9:29 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The documents filed with the LTB stated that the Landlord served an N8 Notice of Termination on or around December 18, 2025, with a termination date of February 28, 2025, on the following grounds: During the period of January 1, 2025, to December 31, 2025, the Tenant persistently paid the rent late 7 out of 12 months.
2. The Landlord then filed an application on January 7, 2026, confirming the reasons for filing the application and that rent had been persistently paying the rent late.
3. The Tenant was in possession of the rental unit on the date the application was filed.
4. The Tenant was not present at the hearing to dispute the contents of the notice.

5. At the hearing, the Landlord's representative advised that after the application was filed, the Tenant then vacated the unit on February 1, 2026, so termination of the tenancy is moot.
6. The Landlord seeks recovery of the application filing fee. The Landlord's representative submitted that they incurred the cost of filing the application as the Tenant did not pay the rent as it fell due. They stated that the application cost was incurred in order to enforce their rights, and the Landlord was not given notice of any prior intention of the Tenant to vacate the unit. As a result, it appears that the Tenant vacated the unit as a result of the Notice of Termination and subsequent application to the Board. Further, had the Tenant notified the Landlord that they were moving out of the unit prior to the date of the filing of the application, the Landlord would not have had to incur the costs for filing the application.
7. I find that it was reasonable for the Landlord to file the application in order to pursue their rights under the Act. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord's representative stated that they are no longer seeking compensation in this application as the Landlord has filed a separate L1 Application, which is pending, that would deal with any outstanding rent and will address the Last Month's Rent deposit held by the Landlord.

It is ordered that:

1. The tenancy terminated on February 1, 2026, the date the Tenant vacated the rental unit.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing on or before March 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 15, 2026 at 4.00% annually on the balance outstanding.

March 3, 2026
Date Issued

Colette Myers
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.