



Order under Section 79 Residential Tenancies Act, 2006

File Number: LTB-C-099859-25

In the matter of: 4, 356 SPRINGBANK AVE N
WOODSTOCK ON N4T1M4

Between: Percy Heights Co-Op of Woodstock Co-op

And

Nadine Graham Co-op Member

Percy Heights Co-Op of Woodstock (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Nadine Graham (the 'Co-op Member') because the Co-op believes that the Co-op Member abandoned the member unit.

This application was heard by videoconference on February 24, 2026.

The Co-op's Legal Representative, Joseph Kazubek, attended the hearing. Yaanyarko Adu-Jackson ("YJ") attended the hearing as a witness for the Co-op.

As of 2:08 p.m. and for the entire hearing block, the Co-op Member was not present or represented 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 Co-op's evidence.

It is determined that:

1. As explained below, the Co-op has proven on a balance of probabilities the grounds for termination of the tenancy.
2. The Board's Interpretation Guideline 4: "Abandonment of a Rental Unit" explains the concept of abandonment as follows:

Abandonment is a unilateral act by the tenant to relinquish their tenancy and give up possession of the rental unit without properly giving notice of the termination to the landlord. If the landlord is not sure whether or not a rental unit has been abandoned, they may file an application for determination of this issue with the Board; however, it should be noted the Board has no jurisdiction to issue an order for rent or compensation if a tenant is no longer in possession of the rental unit (see section 87). In this case, the landlord may seek a remedy by applying to Court.

Section 2(3) of the RTA provides that a rental unit is not considered abandoned where the tenant is not in arrears of rent. Even if there is evidence of abandonment, such as the furniture being removed, the landlord cannot treat the unit as abandoned before the end of the rental period if the rent is fully paid.

3. The uncontested evidence before the Board was that the Co-op Member was in arrears of rent when the application was filed on November 27, 2025. The last time the Co-op Member had paid rent to the Co-op was in January 2024.
4. YJ is the property administrator for the Co-op. YJ testified that she has not seen the Co-op Member since her employment began in October 2023. The last communication the Co-op had with the Co-op Member was in February or March 2023.
5. YJ testified that police and Children's Aid Society came and removed the Co-op Member's children from the member unit in August 2024. At the time, the Co-op Member's children informed the authorities that they had not seen their mother, the Co-op Member, for five weeks.
6. After the children were removed and placed in their father's care, the Co-op changed the locks to the member unit in August 2024 and provided instructions to the Co-op Member via email and notice in the mailbox to retrieve keys from the Co-op but the Co-op Member never came.
7. YJ testified that the Co-op has called and emailed the Co-op Member but there has been no response. The hydro and gas in the member unit have been cut off.
8. Based on the uncontested evidence of the Co-op, I am satisfied on a balance of probabilities that the Co-op Member has abandoned the unit.
9. The Co-op requested that the Board terminate the tenancy in the standard time frame. I see no reason to deny the request.
10. The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Co-op Member's occupancy is terminated as of March 17, 2026.
2. The Co-op Member shall pay to the Co-op \$186.00 for the cost of filing the application.
3. If the Co-op Member does not pay the Co-op the full amount owing on or before March 17, 2026, the Co-op Member will start to owe interest. This will be simple interest calculated from March 18, 2026, 2024 at 4.00% annually on the balance outstanding.

March 6, 2026
Date Issued

Vicky Liu
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.