



**Order under Section 87 / 89 / 88.1
Residential Tenancies Act, 2006**

File Number: LTB-L-036043-25

In the matter of: 292 ST VINCENT ST
BARRIE ON L4M4A1

Between: Behnam Safari Nia Landlord

And

Candice Victoria Marshall Former Tenant

Behnam Safari Nia (the 'Landlord') applied for an order requiring Candice Victoria Marshall (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Further, the Landlord applied for an order requiring the Former Tenant to pay the Landlord's reasonable out-of-pocket costs that are the result of the Former Tenant's conduct or that of another occupant of the rental unit or someone the Former Tenant permitted in the residential complex. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest.

Further, the Landlord applied for an order requiring 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 December 10, 2025.

Only the Landlord attended the hearing.

As of 10:40 am, the Former Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Landlord. 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. As explained below, the Landlord proved the allegations contained in the application on a balance of probabilities. Therefore, the Former Tenant shall pay to the Landlord \$586.00.

2. I am satisfied that the Landlord served the Former Tenant 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.
3. These documents were served on May 22, 2025, by e-mail which was permitted by the lease.
4. The Former Tenant vacated the rental unit on April 9, 2025. The Landlord opted not to proceed with their claim for rent arrears, as the arrears had been dealt with in another order. The Landlord also opted not to proceed with their s. 89 claim.
5. The Landlord testified that when the Former Tenant had vacated the unit, they had left a number of large items that required expenses in order to be removed, namely a washer and dryer in the unit's garage, couches, heavy metal scraps, furniture and wood.
6. Based on the Landlord's uncontested evidence, I am satisfied that the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex substantially interfered with the reasonable enjoyment of the residential complex by the Landlord or another lawful right, privilege or interest of the Landlord.
7. The Landlord incurred reasonable out-of-pocket expenses of \$400.00. These expenses were incurred as a result of the substantial interference.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Former Tenant shall pay to the Landlord \$400.00, which represents the reasonable out-of-pocket expenses the Landlord incurred as a result of the substantial interference.
2. The Former Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount the Former Tenant owes the Landlord is \$586.00*. See Schedule 1 for the calculation of the amount owing.
4. If the Former Tenant does not pay the Landlord the full amount owing on or before March 14, 2026, the Former 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

Jagger Benham
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.

- * Refer to the attached Summary of Calculations.

Schedule 1
SUMMARY OF CALCULATIONS

Amount the Former Tenant must pay the Landlord:

Substantial Interference Costs	\$400.00
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$586.00