



Order under Section 79 Residential Tenancies Act, 2006

File Number: LTB-L-089857-25

In the matter of: Basement- 69 COYOTE CRES
SCARBOROUGH ON M1B6H2

Between: Subakaran Sivapragasam Landlord

And

Hannah Andrew Tenant

Subakaran Sivapragasam (the 'Landlord') applied for an order to terminate the tenancy and evict Hannah Andrew (the 'Tenant') because the Landlord believes that the Tenant abandoned the unit.

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

Only the Landlord attended the hearing.

As of 2:54p.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. For the reasons set out below, the tenancy is terminated as of the hearing date, February 24, 2026, because the Tenant has abandoned the rental unit.
2. Guideline 4 of the Board's Interpretation Guidelines defines "abandonment" as "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." The Landlord applied to the Board under section 79 of the *Residential Tenancies Act, 2006* (the "Act") because it believes that the Tenant has abandoned the rental unit.
3. Section 2(3) of the Act states that there can be no abandonment if the tenant is not in arrears of rent. The Landlord testified that the Tenant has not paid rent to the Landlord since July 2025. Therefore, I find that there are arrears of rent outstanding.
4. The Landlord resides in the upper unit of the building, and the Tenant's rental unit is the basement.

5. The Landlord presented the following evidence that the Tenant has abandoned the rental unit:
 - The Landlord has attempted to call the Tenant every week since July 16, 2025, but has been unsuccessful in connecting with the Tenant.
 - On July 22, 2025, the Landlord sent an email to the Tenant requesting that she contact the Landlord. The Landlord did not receive any response from the Tenant regarding this email.
 - On September 22, 2025, the Landlord conducted an inspection of the rental unit, and observed the Tenant's clothes, cosmetics, and furniture inside.
 - As of the hearing date, no one has contacted the Landlord on the Tenant's behalf with respect to the Tenant's whereabouts. The Tenant does not have any family in Canada.
 - The Landlord has not seen the Tenant at the residential complex since June 2025, and neither has he heard any noise emanating from inside the rental unit.
 - The Landlord asked his neighbours numerous times from August 2025 to October 2025, whether they had seen the Tenant at the building, and they advised the Landlord that they have not seen the Tenant at the residential complex.
6. Based on the uncontested evidence presented by the Landlord, I am satisfied that it is more likely than not that the Tenant has abandoned the rental unit. Although the Landlord presented evidence that the Tenant has not returned the keys to the rental unit and has left her belongings in the rental unit (furniture, clothes, and a cosmetics), I still find that there is an abundance of indicators that outweigh these two facts, and point to the fact that the Tenant has left the rental unit and does not intend to return.
7. The Tenant did not attend the hearing to present any evidence or submissions in support of granting relief from eviction. Accordingly, I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Landlord is not aware of any circumstances which the Board should be made aware of whether to refuse or delay eviction.
8. The Landlord must comply with the requirements of section 42 of the Act with respect to disposing of the Tenant's property in the rental unit. For example, the Landlord may immediately dispose of anything unsafe or unhygienic in the rental unit; however, the Landlord must wait 30 days from the date of this order before disposing of the Tenant's other belongings.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of February 24, 2026.
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 16, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 17, 2026, at 4.00% annually on the balance outstanding.

4. The Landlord shall comply with the requirements in section 42 of the Act with respect to disposing of the Tenant's property in the rental unit.

March 5, 2026
Date Issued

Inderdeep Padda
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.