



## **Order under Section 87 Residential Tenancies Act, 2006**

**Citation:** Regan v Taylor, 2026 ONLTB 20195

**Date:** 2026-03-11

**File Number:** LTB-L-049685-25

**In the matter of:** 321 Maxwell Street  
Sarnia ON N7T5C6

**Between:** Emily Regan Landlord  
  
and  
  
Laura Taylor  
Joseph Lalande Former Tenants

Emily Regan (the 'Landlord') applied for an order requiring Laura Taylor and Joseph Lalande (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenants owe.

This application was heard by videoconference on March 4, 2026.

Only the Landlord attended the hearing.

As of 9:33am, the Former Tenants were not present or represented at the hearing.

### **Determinations:**

1. As explained below, the Landlord's application is dismissed.
2. I am not satisfied that the Landlord served the Former Tenants with the notice of hearing and the application 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 (the "Rules"). The Certificate of Service filed by the Landlord states that the Landlord served the Former Tenants with the L10 Application and Notice of Hearing by email on January 20, 2026.
3. Service of documents by email to the Former Tenants is permitted under Rule 3.3(c) of the Rules. However, this rule establishes a two-part test that must be met for the email service to be valid. This rule states that a document may be served on a former tenant no longer in possession of a rental unit by email if: (1) during the tenancy the tenant or former tenant had consented in writing to service by email; and (2) if it can be proven that the contents actually came to the attention of the tenant or former tenant.
4. In this case, while the lease agreement has the checked off that the Former Tenants agree to send and receiving documents by email, there is no email address provided for the

Tenants. Additionally, the Landlord confirmed that she did not have any read receipt or email response from the Former Tenants confirming that the documents had come to their attention. This is evidence I would have reasonably expected the Landlord to adduce to substantiate compliance with Rule 3.3(c) of the Rules. Accordingly, I am not satisfied the Landlord has complied with this rule.

5. The Landlord does not know where the Former Tenants reside and did not provide sufficient evidence as to the efforts she would take to locate the Former Tenants to effect service. She has tried contacting them to no avail. Accordingly, I was not satisfied that the Landlord would be able to perfect service on the Former Tenants in accordance with the Board's Rules or the Act if an adjournment was granted for this purpose.
6. For the above reasons, the Landlord's application is dismissed.

**It is ordered that:**

1. The Landlord's application is dismissed.

**March 11, 2026**  
**Date Issued**

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Candace Aboussafy  
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.