



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-072846-24

In the matter of: 165, 425 RATHBURN RD E
MISSISSAUGA ON L4Z1H6

Between: Maricar Hazel Angeles Tenant

And

Solmar Builders Landlord

Maricar Hazel Angeles (the 'Tenant') applied for an order determining that Solmar Builders (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- did not give the Tenant 72 hours to remove their property from the rental unit or from some place close to the rental unit after the Sheriff evicted the Tenant.

This application was heard by videoconference on March 11, 2026. Only the Landlord's Legal Representative, K. Hawkes, attended the hearing. As of 10:00 a.m., neither the Tenant nor the Landlord were present or represented at the hearing.

Determinations

1. Since the Tenant did not appear at the hearing to support the application, I find that this application has been abandoned.
2. The Landlord stated that during an Adjudicative Case Conference on September 18, 2025, the Tenant was informed that the likelihood of success in this application is low.
3. The Landlord requested that costs be awarded against the Tenant for failing to withdraw the application or attend the hearing.
4. The Board's Interpretation Guideline 3 states that '*A Member has the discretion to require a party, a party's agent or a party's legal representative to pay, as costs, any representation or preparation expenses of another party where the conduct of the party, a party's agent or a party's legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay and includes ... Initiating an application or any procedure in bad faith.*'

5. I do not find the conduct of the Tenant to be sufficiently unreasonable so as to warrant an order for costs. A review of the application does not suggest that the Tenant delayed the proceeding or initiated the application in bad faith. Although the Landlord incurred preparation expenses, these were not undue because they would have been incurred even if the Tenant had attended. In this circumstance, the Tenant has simply abandoned their application, and no costs will be ordered against them.

It is ordered that:

1. The Tenant's application is dismissed.

March 18, 2026
Date Issued

Jitewa Edu
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.