



**Amended Order
Order under Section 87 / 88.2
Residential Tenancies Act, 2006
And Section 21.1 of the Statutory Powers Procedure Act**

File Number: LTB-L-008976-25-AM2

In the matter of: 114 Closson Drive
Whitby ON L1N9Y6

Between: Angela Taborski Landlords
Jennifer Taborski

And

Kamala Dyce Former **Tenants**
Kacianne Scarlette

Angela Taborski and Jennifer Taborski (the 'Landlords') applied for an order requiring **Kamala Dyce** and Kacianne Scarlette (the 'Former **Tenants**') to pay:

- the rent and daily compensation that the Former **Tenants** owe; and
- the Landlords' reasonable out-of-pocket costs that are the result of the Former **Tenants**' failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on December 23, 2025.

Only the Landlord Angela Taborski attended the hearing.

As of 9:14 a.m., the Former **Tenants** were 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 Landlords' evidence.

This amended order is issued to correct a clerical error in the original order issued on February 4, 2026.

Determinations:

1. At the hearing, the application was amended at the Landlords' request to remove the claim for arrears of rent as the Former **Tenants have** paid the full amount owing. The application was further amended to reflect a claim for out-of-pocket costs for unpaid utilities to \$306.00, as the Former **Tenants have** made payments.

2. As explained below, the Landlords proved the allegations contained in the application on a balance of probabilities. Therefore, the Former **Tenants** shall pay to the Landlords \$306.00.
3. I am satisfied that the Landlords served the Former **Tenants** with the application and Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 of the LTB's Rules of Procedure.
4. I am satisfied that the Landlords served the Former **Tenants** 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.
5. These documents were served on email on October 25, 2025, and a response was received on behalf of the Former **Tenants**.
6. The Former **Tenants** vacated the rental unit on February 29, 2024.
7. The application was filed within one year after the Former **Tenants** ceased to be in possession of the rental unit.
8. The lawful rent was \$2,850.00. It was due on the 1st day of each month.
9. The Landlords incurred costs of \$186.00 for filing the application but stated that they will waive the filing fee.

Compensation for unpaid utility costs

15. The Former **Tenants** failed to pay water costs that they were required to pay under the terms of the tenancy agreement.
16. The Landlords incurred reasonable out-of-pocket expenses of \$506.14 as a result of the Former **Tenants**' failure to pay water costs. The Former **Tenants** acknowledge that these costs were unpaid and has since made payments. The amount outstanding is \$306.00.

It is ordered that:

1. The Former **Tenants** shall pay to the Landlords \$306.00, which represents the reasonable out-of-pocket expenses the Landlords incurred as a result of the unpaid utility costs.
2. If the Former **Tenants do** not pay the Landlord the full amount owing on or before February 15, 2026, the Landlord **Former Tenants** will start to owe interest. This will be simple interest calculated from February 16, 2026 at 4.00% annually on the balance outstanding.

February 4, 2026

Date Issued

February 11, 2026

Date Amended

Margo den Haan

Member, Landlord and Tenant Board

March 12, 2026
Date Amended

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.