



**Order under Section 79 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-073584-25

In the matter of: 37273 BUSH LINE
Port Stanley ON N5L1J2

Between: Ashley Palmer Landlord

And

Chelsea OConnor Tenant

Ashley Palmer (the 'Landlord') applied for an order to terminate the tenancy and evict Chelsea OConnor (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

Ashley Palmer (the 'Landlord') also applied for an order requiring Chelsea OConnor (the 'Tenant') to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

This application was heard by videoconference on March 17, 2026.

Only the Landlord attended the hearing.

As of 9:49 AM 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. Order LTB-L-054434-25, issued September 16, 2025, terminated the tenancy effective August 31, 2025. As a result, the Landlord's request for an order determining that the Tenant abandoned the rental unit is rendered moot.
2. With respect to the Landlord's claim for damages, the Tenant was no longer in possession of the rental unit at the time the application was filed. Section 189.0.1(2) of the *Residential Tenancies Act, 2006* (the 'Act') requires a landlord to serve a copy of the application and notice of hearing on a former tenant in accordance with the Act.

3. The Landlord did not comply with this mandatory service requirement. As a result, the application cannot proceed and is dismissed.
4. My finding does not preclude the Landlord from filing a new application, provided the requirements of the Act respecting service on a former tenant are met.

It is ordered that:

1. The Landlord's application is dismissed.

March 24, 2026
Date Issued

Bryan Delorenzi
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.