



Order under Section 87 Residential Tenancies Act, 2006

Citation: Yang v Jolic, 2026 ONLTB 24068

Date: 2026-03-25

File Number: LTB-L-066006-25

In the matter of: 1014, 105 The Queensway
Toronto ON M6S5B5

Between: Daejoo Yang Landlord

and

Mladen Jolic Former Tenant

Daejoo Yang (the 'Landlord') applied for an order requiring Mladen Jolic (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

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

Only the Landlord's Agent, Seung Jin Yang, and the Landlord attended 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 December 16, 2025.
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 Former Tenant agreed in the lease agreement to receive documents by email, the Landlord's Agent confirmed that they did not have any read receipt or email response from the Former Tenant 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's Agent does not know where the Former Tenant resides and stated that other than email and text messages, they have no way to find a new address. The Former Tenant has not responded to any emails or text messages. 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 25, 2026
Date Issued

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.