



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-012622-26

In the matter of: 433, 40 ASQUITH AVE
TORONTO ON M4W1J6

Between: Toronto Community Housing Corporation Landlord

And

Jeffery Wade Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Jeffery Wade (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on October 8, 2025 with respect to application LTB-L-015215-25.

A hearing was held by videoconference on March 18, 2026 to consider this application.

The Landlord's Legal Representative Jathusan Ratnakumaran and the Tenant's Legal Representative Sean O'Connor attended the hearing.

Determinations:

1. At the hearing, the Landlord's Legal Representative requested the consent of the Board to withdraw the application.
2. Pursuant to section 200(4) of the Residential Tenancies Act, 2006 (the Act), I consented to the withdrawal of the application.

Costs

3. The Tenant's Legal Representative requested costs in relation to the application. Mr. O'Connor's position was that the Landlord and their Legal Representative waited until the last minute to withdraw the application. In addition, had they investigated the circumstances earlier and more thoroughly, it would have been apparent the application was unnecessary. Lastly, Mr. O'Connor submitted the circumstances the Tenant experienced involved an unjust arrest and that the circumstances, while they may not be on purpose or a result of carelessness, are wrong.

4. The Landlord's Legal Representative, Mr. Ratnakumaran, submitted the application was filed in good faith and based on information they had concerning a breach of the original order issued by the Board with respect to LTB-L-015215-25. Mr. Ratnakumaran submitted the Landlord did have a valid reason to file the application and submitted the nature of L4 applications are that they are filed without notice to the Tenant. As such, the Tenant was not given notice until the Board directed the matter to a hearing to determine if the breach alleged is related to the grounds in the original application.
5. Having considered the submissions of the parties and *Interpretation Guideline 3 – Costs*, I am not satisfied the Landlord or the Landlord's Legal Representative engaged in conduct that warrants an order for costs. I accept the Landlord was acting in good faith and that the application was filed because the Landlord believed the Tenant breached the original order and for no other reason. While I appreciate Mr. O'Connor's submissions, and while the application could have been withdrawn earlier, I do not find the Landlord or their Representative have acted unreasonably with respect to this application. For these reasons, I do not find an order for costs is appropriate here and the request is therefore denied.

It is ordered that:

1. The Landlord's application is withdrawn. The Board's file is closed.

March 23, 2026
Date Issued

John Cashmore
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.