



**Order under Section 87 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-067721-24

In the matter of: 1209, 8 MERCER ST
TORONTO ON M5V0C4

Between: Pawas Pooran Verma Landlord
Mradula Verma

And

Tania Jane Al Khatib Former Tenant
Sheryl Jane Al Khatib

Pawas Pooran Verma and Mradula Verma (the 'Landlord') applied for an order requiring Tania Jane Al Khatib and Sheryl Jane Al Khatib (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Pawas Pooran Verma and Mradula Verma (the 'Landlord') applied for an order requiring Tania Jane Al Khatib and Sheryl Jane Al Khatib (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

This application was heard by videoconference on December 15, 2025.

Only the Landlord's attended the hearing.

As of 10:07 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 Landlord's evidence.

Procedural History:

1. This application appeared before the Board on August 11, 2025, and adjourned at the Landlord's request.

Determinations:

1. As explained below, the Landlord did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.

2. I am not satisfied that the Landlord served the Former Tenant 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.
3. I turn to Rule 3.3 states that:

"In addition to methods of service identified in the RTA a document may be served on a tenant or former tenant no longer in possession of a rental unit, by:

ii. if it can be proven that the contents actually came to the attention of the tenant or former tenant."

4. Since the last hearing date, the Landlord took no steps to serve the Former Tenants with the application and the Notice of Hearing. There was no evidence provided to establish the Tenants had been served.
5. I considered Rule 5.17 and Rule 21.8 of the Board's Rules of Procedure in determining this was not a case that warranted an adjournment. The Landlord is required to exercise some diligence to ensure their application can proceed. In my view, this includes reading the application and the Notice of Hearing and complying with the service requirements or making a reasonable attempt to do so. Here, the Landlord did nothing after the last hearing date despite having more than four months from the date the Notice of Hearing was issued to serve the Former Tenants. Further, the Landlord did not demonstrate that any efforts were made to locate the Tenants, nor did they provide any explanation of any attempts.
6. I also considered the prejudice to the Landlord in not adjourning the file, however, in my view, this prejudice is a result of the Landlord's failure to act on the clear instructions contained in the application and the Notice of Hearing to serve the documents to the Former Tenants. The Landlord could have attended the hearing prepared to demonstrate they had been diligent in trying to serve the Former Tenants and were likely to succeed if the matter was adjourned. This was not the case here. For these reasons, I did not find there was a reasonable basis to adjourn the file, and I dismissed the Landlord's application because of a lack of service.

It is ordered that:

1. The Landlord's application is dismissed.

March 23, 2026
Date Issued

Anthony Bruno
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.