



**Order under Section 30
Residential Tenancies Act, 2006**

File Number: LTB-T-079348-25

In the matter of: BOX 356 WIDDER ST. E
ST MARYS ON N4X1B4

Between: IRENE RETTINGER Tenant

And

HARWOOD PROPERTY MANAGEMENT Landlords
ERNIE VANDERSCHOT

IRENE RETTINGER (the 'Tenant') applied for an order determining that HARWOOD PROPERTY MANAGEMENT and ERNIE VANDERSCHOT (the 'Landlords') failed to meet the Landlords' maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

An Adjudicative Case Conference (ACC) was held by videoconference on March 19, 2026.

Only the Landlords' agents Dave Harwood, Julie Vanderschot, Vera Vanderschot and the Landlords' legal representative Danielle Nettleton attended the ACC.

As of 9:32 am, the Tenant was not present or represented at the ACC although properly served with notice of this ACC by the LTB. There was no record of a request to adjourn the ACC. The Tenant did not join during the scheduled block and the LTB technical support team did not advise of any related issues.

Determinations:

1. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.

The Landlords' request for Costs

2. The Landlords seek costs related to the Tenant's failure to attend the ACC for their application.
3. The Landlords' legal representative described a lengthy and challenging relationship between the parties and matters before the LTB and Divisional Court. She described various instances where the Tenant failed to appear or took unreasonable additional steps

to proceedings. I note, some of the circumstances are beyond the scope for consideration for this purpose.

4. In addition to this application before me, the Tenant filed a T2 application on May 20, 2025. The matter was heard on February 10, 2026 and the Tenant did not attend. The order was issued as abandoned on February 18, 2026 and it was not appealed by the Tenant.
5. The Landlords' representative said that the Tenant is well-versed in LTB proceedings and has caused delay and has misused the LTB's process. She said that in preparation to participate at the ACC, she prepped for around three hours; specific to the claims made in the Tenant's application. Additionally, the Landlords' agents attended this hearing in good faith. In total, the Landlords seek costs in the amount of \$400.00.
6. The Board's Interpretation Guideline 3 entitled Costs says in part:

The Board should not use its power to order costs in a way which would discourage landlords and tenants from exercising their statutory rights.

Generally, costs may be ordered where a party's conduct in the proceeding was unreasonable...

Before ordering a party, a party's agent or a party's legal representative to pay costs, a Member should ensure that the person who will be affected by the order for costs has an opportunity to make submissions on the matter.

However, if a party has received notice of a hearing and does not attend a hearing, or if a party's agent or legal representative is on the record as representing a party and does not attend a hearing, a Member may proceed to make an order for costs without notifying the person affected of the intention to do so, provided that the failure to attend the hearing delayed the process unnecessarily or caused unnecessary expense to the other party...

A Member has the discretion to require a party, a party's agent or a party's legal representative to pay, as costs, any representation or preparation expenses of another party where the conduct of the party, a party's agent or a party's legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay and includes the following: ... 8.Failing to prepare adequately for the hearing...

[Emphasis added.]

7. For clarity, the Board emailed the Notice of Adjudicative Case Conference to the Tenant and the Tenant's support Carrie Rettinger on November 19, 2025 as per their consent to receive emails for the LTB. The Notices were not returned as undeliverable.
8. The Notice of Hearing provides extensive support and information to the parties, including the requirement to attend a matter and consequences for the failure to do so.

9. This is the second time the Tenant has abandoned an application. Had the Tenant intended to attend the February 10, 2026 hearing, they surely would have requested a review of the abandoned order issued February 18, 2026.
10. This is unreasonable conduct that has caused unnecessary expense for the Landlords.
11. In my view, an adverse cost award is warranted as against the Tenant.
12. Pursuant to Rule 23, the Landlord is entitled to costs of \$100.00 per hour for hearing and preparation time up to a maximum of \$700.00. I have reviewed the T6 application and the Board record and find, that a reasonable amount of preparation time would be around one hour at \$100.00. I acknowledge the Landlords' disclosure brief contains around 39 pages. However, it is mostly comprised of the length lease agreement, regulations and case law. An order will issue accordingly.
13. The March 19, 2026 matter was heard as an ACC, where the focus is settlement discussion. There is little to no preparation for witnesses or general participation.
14. The matter was called at 9:32 am. Therefore, the Landlord should be awarded costs for one hour in the amount of \$100.00.
15. As a result, and considering a pattern of behaviour, the Tenant will be required to compensate the Landlord in the amount of \$200.00 for costs associated with this matter.
16. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Tenant's application is dismissed.
2. The Tenant shall pay to the Landlords costs in the amount of \$200.00 by April 7, 2026.
3. If the Tenant does not pay the Landlords the full amount owing on or before April 7, 2026, they will start to owe interest. This will be simple interest calculated from April 8, 2026 at 4.00% annually on the balance outstanding.

March 26, 2026
Date Issued

Dana Wren
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.