



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-043582-25

In the matter of: BASEMENT, 2157 DENBY DR
PICKERING ON L1X2A8

Between: Mohammad Rahman Landlord

And

Taylor Lichtmeyer Tenant

Mohammad Rahman (the 'Landlord') applied for an order to terminate the tenancy and evict Taylor Lichtmeyer (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy and evict Tenant because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

The Landlord also applied for compensation for damages caused by the Tenant.

This application was heard by videoconference on March 23, 2026.

Only the Landlord's Legal Representative Jimmy Gangadin attended the hearing.

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. At the outset of the hearing, the Landlord withdrew the L2 application because they did not have their instructing client or a witness present in order to prove their claim for damages.
2. The Landlord submitted that the Tenant had vacated the rental unit as of July 3, 2025.
3. The Tenant was in possession when the Landlord submitted these applications.
4. This matter was before the Board on October 8, 2025. At that time the Tenant was not presented nor represented at the hearing. The hearing was adjourned so that the Landlord

could serve the notice of hearing and application materials on the Tenant. See the adjournment sheet at DOC-6558711.

5. On March 20, 2026, the Landlord emailed the Tenant the notice of hearing for this hearing.
6. The Landlord was unable to provide a copy of the lease agreement or any other proof that the parties had consented to service of documents by email.
7. The Landlord was also unable to show that their email dated March 20, 2026, had come to the attention of the former Tenant.
8. As a result, I was not satisfied that the former Tenant had notice of this proceeding.
9. The Landlord submitted that the former Tenant was aware of this proceeding because the former Tenant had uploaded to the Portal the returned mail with the notice of hearing.
10. I disagreed with the Landlord. I reviewed DOC-6081870 and the Portal shows it was created by a staff employee of the Board. In addition, the document contained the outside envelope with an LTB date stamp that said it was received by the Board on July 25, 2025. Is it impossible that the former Tenant would have stamped the envelope with an LTB date stamp and then uploaded same to the Portal, along with an internal Board form, the *returned mail checklist*. This simply lacked any credibility.
11. The Landlord requested a second adjournment.
12. The request for a second adjournment was denied. The Board Interpretation Guideline 1, entitled *Adjourning and Rescheduling Hearings* sets out the general approach of the Board in addressing requests to adjourn a hearing. The guideline highlights that matters should be resolved first and foremost in an expedient manner.

Section 183 of the RTA directs the Board to "adopt the most expeditious method of determining the questions arising in a proceeding that affords to all persons directly affected by the proceeding an adequate opportunity to know the issues and to be heard on the matter."

13. Guideline 1 also sets out the specific factors that may be considered.

The specific factors the Member may consider in deciding whether to grant an adjournment include:

1. the reason for the adjournment and position of the parties;
2. the issues in the application;
3. any prejudice that may result from granting or denying the request;
4. the history of the proceeding including other adjournments or rescheduling;
5. the LTB's obligation to adopt the most expeditious method of determining the questions arising in a proceeding that affords to all persons directly affected by the proceeding an adequate opportunity to know the issues and be heard on the matter.

14. In the present case, the matter had been previously adjourned so that the Landlord could properly serve the Tenant. The Landlord knew this was a live issue and did not come prepared to address *service*.
15. Granting the Landlord a third hearing, would not be adopting the most expeditious method of resolving the Landlord's applications.
16. The Landlord submitted that they do not have the Tenant's current address and have not been able to trace them. In my view that is a question for collecting on any successful order. If the Landlord is unable to enforce a Board order, they are wasting the Board's limited judicial resources and do not warrant further time.
17. Finally, I noted that there would be no prejudice to the Landlord since the Act provides a complete mechanism to bring an application against a former Tenant.
18. The Landlord indicated they would proceed to file an application against the former Tenant in accordance with the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of July 3, 2025, the date the Tenant moved out of the rental unit.
2. The Landlord's L2 application for damages is withdrawn.
3. The Landlord's L1 application for arrears of rent is dismissed.

March 30, 2026
Date Issued

Robert Patchett
Vice Chair, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.