



Order under Section 79 Residential Tenancies Act, 2006

Citation: Falahati v Benatta, 2026 ONLTB 25679

Date: 2026-03-27

File Number: LTB-L-084530-25

In the matter of: 2410, 20 EDWARD ST
TORONTO ON M5G0C5

Between: Arya Falahati Landlord

And

Benamar Benatta Tenant

Arya Falahati (the 'Landlord') applied for an order to terminate the tenancy and evict Benamar Benatta (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

This application was heard by videoconference on March 23, 2026. The Landlord, the Landlord's legal representative Esmaeil Mehrabi and the Landlord's witness Mahdi Salimi attended the hearing.

As of 9:58am, 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. As explained below, the Landlord has proven on a balance of probabilities that the Tenant abandoned the rental unit on September 25, 2025.
2. The Landlord's application was filed on October 7, 2025 and alleges that the Tenant has abandoned the rental unit. The Landlord's application is filed pursuant to section 79 of the *Residential Tenancies Act, 2006* (the Act):

79 If a landlord believes that a tenant has abandoned a rental unit, the landlord may apply to the Board for an order terminating the tenancy.

3. The tenancy was for a fixed term period ending September 25, 2025. The Landlord's realtor attempted to contact the Tenant during the month of August 2025 to inquire about renewing the tenancy agreement and heard no response back from the Tenant.
4. The Tenant has paid no rent to the Landlord for the months of October 2025 to March 2026.
5. The Landlord's realtor attended the rental unit on September 27, 2025, October 4, 11, 18 & 25, 2025 and on November 1 & 8, 2025 and stated that during these inspections, the Tenant was not present in the unit and that the unit showed signs of abandonment (no furniture and rotting food).
6. As of the hearing date, the Landlord has had no communications with the Tenant regarding their intentions to continue the tenancy.
7. Based on the uncontested evidence and submissions before the Board, I find that the Tenant has abandoned the rental unit as of September 25, 2025.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of September 25, 2025, the date the Tenant abandoned the rental unit.
2. The Landlord is entitled to immediate vacant possession of the rental unit.
3. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before April 7, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 8, 2026 at 4.00% annually on the balance outstanding.

March 27, 2026
Date Issued

Fabio Quattrociochi
Member, Landlord and Tenant Board

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