



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

File Number: LTB-L-074785-25

In the matter of: 408, 570 De Mazenod Ave
OTTAWA ON K1S1C3

Between: Denis Cabasson Landlord

And

Demetrios Drakos Former Tenant
Anastasia Stacey Drakos
Theodora Dorothy Drakos

Denis Cabasson (the 'Landlord') applied for an order requiring Demetrios Drakos, Anastasia Stacey Drakos and Theodora Dorothy Drakos (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on March 5, 2026.

Only the Landlord attended the hearing.

As of 10:01am, the Former Tenant was 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.

Determinations:

1. I am not satisfied that the Landlord served the Former Tenant with the notice of hearing in accordance with the *Residential Tenancies Act, 2006* ('the Act') or the LTB's Rules of Procedure ('the Rules'). The application is therefore dismissed.
2. Board records indicate the Landlord was issued an endorsement on December 9, 2025 for the Landlord to serve the Former Tenant a copy of the application and notice of hearing on or before February 3, 2026 and file a copy of the L10 certificate of service with the Board on or before February 13, 2026.
3. The Landlord failed to comply with the Board's endorsement deadline.
4. Board records show the Landlord filed the L10 certificate of service on February 16, 2026 that indicated the Landlord served the Former Tenant the application and notice of hearing on February 16, 2026 by email.

5. Not only did the Landlord fail to comply with the Board's endorsement deadline for service the Landlord did not meet the requirement to serve the documents to the Former Tenant more than 30 days in advance of the hearing.
6. The Landlord also failed to meet the requirement under the Board's Rules of Procedure Rule 3.3 that establishes that documents may be served on a tenant no longer in possession of a rental unit by email if:
 1. during the tenancy the tenant or former tenant had consented in writing to service by email; **and**
 2. if it can be proven that the contents actually came to the attention of the tenant or former tenant.
7. The Landlord has failed to prove the Landlord had authorization to serve documents and notices by email and failed to prove the documents came to the attention of the Former Tenant.
8. For all the reasons above, and in accordance with Rule 5.17 the Landlord's application is dismissed because the Former Tenant was not served with the notice of hearing.

April 1, 2026
Date Issued

Greg Brocanier
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.