



## **Order under Section 57 Residential Tenancies Act, 2006**

**File Number:** LTB-T-064227-25

**In the matter of:** House, 233 Thirtieth street House  
Toronto ON M8W3C9

**Between:** Martin Eoghain Heffernan Tenant

**And**

Jeremy and Olivia Izso and Digiammarino Landlord

Martin Eoghain Heffernan (the 'Tenant') applied for an order determining that Jeremy and olivia Izso and digiammarino (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on March 30, 2026.

Only the Landlord and the Landlord's Legal Representative, Bryan Rubin, attended the hearing.

As of 9:30 a.m., 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.

### **Determinations:**

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

### The Landlord's submission:

*Cost:*

2. At the hearing, the Landlord's Legal Representative requested the Board cost against the Tenant.
3. Interpretation Guideline 3 explains that costs may be ordered where a party's conduct in a proceeding is unreasonable. The Guideline states that conduct is unreasonable if it causes undue expense or delay. Examples include bringing a frivolous or vexatious application or motion, initiating an application or procedure in bad faith, taking unnecessary steps in a proceeding, failing to take necessary steps required by the Residential Tenancies Act, 2006 or the Rules, misconduct at the hearing or during the proceeding, raising irrelevant

issues and continuing to pursue them after being advised they are irrelevant, requesting adjournments or delays without justification, failing to prepare adequately for the hearing, acting disrespectfully toward the Member or the process, failing to follow the Member's directions, disrupting the orderly conduct of the hearing, or maligning another party:

4. The Landlord's request for costs is denied. This was the first appearance after the application was filed. In the circumstances, I am not satisfied that the Tenant's conduct in filing the application or in the proceeding was unreasonable or caused undue expense or delay.

*The Tenant's properties.*

5. I also deny the Landlord's Legal Representative's request to address the Tenant's remaining belongings in the rental unit, as that issue is not relevant to the application before me.

**It is ordered that:**

1. The Tenant's application is dismissed.

**April 2, 2026**

**Date Issued**

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Joy Xiao

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.