



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-090539-24

In the matter of: 5 Firelane 13b Road
Niagara-on-the-Lake ON L0S1J0

Between: Susanna Celso Tenant

And

Joe Falletta Landlord

Susanna Celso (the 'Tenant') applied for an order determining that Joe Falletta (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

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

Only the Landlord and the Landlord's representative Judith Callender attended the hearing.

As of 9:15am, 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.

Reasons:

1. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.
2. The Landlord asks that I award Board costs. He argues that if the Tenant did not intend to proceed with her application, she should have withdrawn it so that the Board could book a different matter in the block. Because she failed to withdraw, Board resources were wasted.
3. I agree with the Landlord that it would have been preferable for the Tenant to withdraw her application. However, it is unfortunately quite common for applicants before the LTB to abandon their applications without withdrawing them. The LTB's usual practice is not to award costs in these circumstances.
4. The Landlord argues that the Tenant in this case has filed applications to the LTB against other Landlords in the past. However, there is no evidence that she has a history of wasting LTB resources by abandoning her applications without withdrawing them. I do not

see any reason to depart from the LTB's usual approach in this case. Costs will not be awarded.

It is ordered that:

1. The Tenant's application is dismissed.

April 10, 2026
Date Issued

Dale Whitmore
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.