



**Order under Subsection 87(1)
Residential Tenancies Act, 2006**

File Number: LTB-L-001854-26

In the matter of: 308, 9000 Jane Street
Vaughan ON L4K0M6

Between: Raffaele Tawfik Landlord
Cheryl Milani-Tawfik

And

Taylor Chance Ryan Tenant

Raffaele Tawfik and Cheryl Milani-Tawfik (the 'Landlord') applied for an order requiring Taylor Chance Ryan (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 18, 2026.

Only the Landlords Raffaele Tawfik and Cheryl Milani-Tawfik attended the hearing.

As of 2:00 pm, 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.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order.

Determinations:

1. The Tenant vacated the rental unit on March 4, 2026. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord testified that they are waiving any claim for rent for the period from March 1, 2026 to March 4, 2026.

3. However, I find that the application is materially defective and cannot proceed. The L9 application states that the monthly rent is \$4,900.00 and claims arrears on that basis, but the Landlord testified at the hearing that the actual monthly rent was \$2,450.00. The application also reflects rental periods inconsistent with the Landlord's evidence at the hearing, as the application is based on rent being due on the 1st day of the month, while the Landlord testified that rent was due on the 4th day of the month. In addition, the application indicates that no last month's rent deposit was collected, whereas the Landlord testified that a last month's rent deposit of \$2,450.00 was in fact collected on September 4, 2024.
4. These are not minor discrepancies. The lawful rent, the rental period, and the existence of a last month's rent deposit are fundamental elements of the claim. In the circumstances, I am not satisfied that the application accurately sets out the basis for the amount claimed, and the hearing could not proceed on the basis of the defective application.
5. As the application is defective, it must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 7, 2026
Date Issued

Kyle Anderson
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.