



**Order under Section 87 / 88.2 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-097139-24

In the matter of: 254 Terrapin Terrace
Ottawa Ontario K4A0W2

Between: Mohammadamin Kazemi Landlord

And

Narjiss Ovazzani-Touhami Former Tenant
Mohammad-Kabir Ghobadi

Mohammadamin Kazemi (the 'Landlord') applied for an order requiring Narjiss Ovazzani-Touhami and Mohammad-Kabir Ghobadi (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Mohammadamin Kazemi (the 'Landlord') applied for an order requiring Narjiss Ovazzani-Touhami and Mohammad-Kabir Ghobadi (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that are the result of the Former Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

Mohammadamin Kazemi (the 'Landlord') applied for an order requiring Narjiss Ovazzani-Touhami and Mohammad-Kabir Ghobadi (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

This application was heard by videoconference on January 15, 2026.

Only the Landlord attended the hearing.

Determinations:

1. I am not satisfied that the Landlord served the Former Tenant with the application and Notice of Hearing using a method permitted in subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 3.3 of the LTB's Rules of Procedure.
2. Section 189.0.1 of the *Residential Tenancies Act, 2006* (the 'Act'), and Rule 5.8 of the LTB's Rules of Procedure require a landlord to serve a former tenant with an L10 Application and the Notice of Hearing 30 days in advance of a hearing. Section 191(1.0.1)

of the Act and Rule 3.3 provide the accepted ways a landlord may serve a former tenant with these materials.

3. This application was filed by the Landlord on November 20, 2024, and previously came before the Board on October 2, 2025, at that time the Landlord had not served the Former Tenant a copy of the application or Notice of Hearing. The Landlord was provided an adjournment so that they could serve the Former Tenant. The Landlord was also informed that failure to serve the Former Tenant would result in the application being dismissed. The next hearing was also peremptory on the Landlord.
4. The Landlord testified they had tried very hard but could not locate the Former Tenant to serve them with the NOH and L10 application. The Landlord sent the L10 application and notice of hearing to the Tenant via email and this was done on December 15, 2025. There was also no response to the Landlord's email and there was no indication that they had received the email. The Landlord was also unsure if the Former Tenant had consented to service via email during their tenancy. The Landlord requested an adjournment to provide them with more time to locate and serve the Former Tenant. This would have been the second adjournment for the same reason.
5. By the time of the hearing on January 15, 2026, the Landlord had had almost a year to locate and serve the Tenant and, by their own admission, had been unable to do so.
6. Rule 3.3 provides that for email service of an L10 and Notice of Hearing on a former tenant to be effective there must have been written consent to email service during the tenancy and the Landlord must prove the contents came to the actual notice of the Former Tenant. Here the Landlord advised the Former Tenant was not responding to email and so I find they were not in a position to prove actual notice.
7. In the above circumstances, I did not find an adjournment appropriate. As a result, I will dismiss the Landlord's application because I find the Landlord did not serve the Former Tenant with their application and Notice of Hearing at least 30 days before the hearing.

It is ordered that:

1. The Landlord's application is dismissed.

April 7, 2026
Date Issued

Colin Elsby
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.