



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-008139-26

In the matter of: 105, 1244 STE MARIE ROAD
EMBRUN ON K0A1W0

Between: MARK CARL PATTERSON Landlord

And

ALEX VEILLEUX Tenant

MARK CARL PATTERSON (the 'Landlord') applied for an order to terminate the tenancy and evict ALEX VEILLEUX (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 2, 2026.

Only the Landlord attended the hearing.

As of 2:39 p.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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) on January 5, 2026. The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Landlord filed the application on January 28, 2026.
3. The Landlord testified that the Tenant vacated the rental unit some time in October 2025. The Landlord investigated the Tenant's whereabouts at that time once the Tenant stopped paying rent and found the Tenant's car gone and the utility bills unpaid for several months. The Landlord maintains that the Tenant has not returned to the unit since October 2025. Having considered the uncontested evidence before me, I am satisfied on the balance of probabilities that the Tenant was not in possession of the rental unit on the date the application was filed.

4. An L1 application is brought under subsection 69(1) of the *Residential Tenancies Act, 2006* (the 'Act') which states:

A Landlord may apply to the Board for an order terminating the tenancy and evicting the Tenant if the Landlord has given notice to terminate the tenancy under this Act or the *Tenant Protection Act, 1997*.

5. However, if the Tenant has already vacated the unit by the time the L1 application is filed, there is no eviction that can be ordered.
6. The L1 Checklist that forms part of the L1 application document itself states that the Landlord cannot file the application if the Tenant is no longer in possession of the unit.
7. If a tenant vacates the rental unit before the landlord files a rent arrears application, the Landlord cannot file an L1 application but may be able to file an L10 application (Application to Collect Money a Former Tenant Owes), governed under section 87(1)(b) of the Act. The distinction is important. For an L1 application the LTB serves the Tenant with the application and notice of hearing at the rental unit, whereas for an L10 application the landlord is required to serve the former tenant at their current residence.
8. Consequently, as the Tenant vacated the unit before the L1 application was filed, the application must be dismissed.

It is ordered that:

1. The application is dismissed.

April 17, 2026
Date Issued

Fotoula Hatzantonis
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.