



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-036821-25

In the matter of: 1, 438 Dominion Avenue 1
Midland ON L4R1P3

Between: Nicholas Andrew Gelata Tenant

And

David Simone
Peter Simone Landlord

Nicholas Andrew Gelata (the 'Tenant') applied for an order determining that David Simone and Peter Simone (the 'Landlord') :

- did not give the Tenant 72 hours to remove their property from the rental unit or from some place close to the rental unit after the Sheriff evicted the Tenant.

An Adjudicative Case Conference ("ACC") was heard by videoconference on April 14, 2026.

Neither the Tenant nor the Landlord was present or represented at the ACC as of 1:30 p.m. although properly served with notice of this ACC by the LTB. There was no record of a request to adjourn the ACC.

Determinations:

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

It is ordered that:

1. The Tenant's application is dismissed.

April 20, 2026
Date Issued

Vicky Liu
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.