



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-078058-25

In the matter of: 2, 262 FROOD RD
SUDBURY ON P3C4Z6

Between: YEDYR BEN ALI Tenants
AICHA EL KASSMI

And

Transparent Property Management Corp. Landlord

YEDYR BEN ALI and AICHA EL KASSMI (the 'Tenants') applied for an order determining that Transparent Property Management Corp. (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 April 8, 2026.

Only the Tenants attended the hearing.

As of 1:15 p.m., the Landlord 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 Tenant's evidence.

Determinations:

1. The Tenants advised they moved out of the rental unit on or about November 28, 2025. The application is about the Landlord's failure to meet their maintenance obligations in the rental unit and common areas, as well as complaints of cigarette smoke and noise. There are no monetary remedies requested in the application. The remedies the Tenants requested in the application are for the Board to order the Landlord to do repairs and for the Board to terminate their tenancy. There was no request to amend the application.
2. Section 197(1) of the Act states:

The Board may dismiss an application without holding a hearing or refuse to allow an application to be filed if, in the opinion of the Board, the matter is frivolous or vexatious, has not been initiated in good faith or **discloses no reasonable cause of action.**

[Emphasis Added]

2. As the Tenants vacated the rental unit, the remedies requested are moot. Therefore, the application shall be dismissed.

It is ordered that:

1. The Tenants application is dismissed.

April 23, 2026

Date Issued

Paula West Oreskovich
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.