



**Order under Section 88.2
Residential Tenancies Act, 2006**

File Number: LTB-L-050181-25

In the matter of: 51 CARTIER DR
KITCHENER ON N2E1E3

Between: Nhan Nguyen Landlord

And

Hong Duong Former Tenant

Nhan Nguyen (the 'Landlord') applied for an order requiring Hong Duong (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.

This application was heard by videoconference on April 20, 2026.

Only the Landlord attended the hearing.

As of 11:03AM, the Former Tenant was not present or represented at the hearing.

Determinations:

Preliminary Issue: Service on the Former Tenant

1. At the hearing, it came to my attention that the Landlord did not serve the Former Tenant with the L10 application and notice of hearing. The Landlord submits he was unaware of his obligation to do so.
2. The problem with the Landlord's submission is that the type of application he filed requires a landlord to serve their Former Tenant with a copy of the notice of hearing and L10 application 30 days before the hearing and file a certificate of service confirming this no later than 20 days before the Board.
3. Furthermore, in this file specifically, the Board issued an endorsement reminding the Landlord of their obligation to do so no later than March 21, 2026. The Landlord opposes receiving this email – which I note is the same email used to send the notice of hearing and L10 application to the Landlord and which the Landlord confirmed on record belongs to him.

4. As such, I find the Landlord has not served the Former Tenant with the application and Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 of the LTB's Rules of Procedure and I am not satisfied by the reasons provided by the Landlord for not doing so.
5. The Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 27, 2026
Date Issued

Sonia Anwar-Ali
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.