



Order under Section 77 Residential Tenancies Act, 2006

Citation: 13923431 CANADA INC. v WILLIAMS, 2026 ONLTB 34606

Date: 2026-05-01

File Number: LTB-L-023769-26

In the matter of: 1, 490 BERESFORD PATH
OSHAWA ON L1H0B2

Between: 13923431 CANADA INC.

Landlord

And

SHYLO WILLIAMS

Tenant

13923431 CANADA INC. (the 'Landlord') applied for an order to terminate the tenancy and evict SHYLO WILLIAMS (the 'Tenant') because the Tenant gave notice to terminate the tenancy.

A hearing was held by videoconference on April 27, 2026 to consider this application.

The Landlord's Legal Representative, CHRISTOPHER WILLIAMS, and the Tenant attended the hearing.

Determinations:

1. It is uncontested that the Tenant provided the Landlord an N15 notice with a termination date of March 15, 2026. It is also uncontested that the Tenant has vacated the rental unit. As such, the issue of termination is moot.
2. The Landlord's Legal Representative submitted that the Tenant vacated the rental unit on March 17, 2026 and the Landlord discovered this after the Landlord conducted an inspection of the rental unit. The Landlord's Legal Representative submitted that the Landlord filed the L3 application before the inspection and requested that the Board order the Tenant to pay the filing fee of \$186.00.
3. Board records show that the Landlord filed the L3 application on March 17, 2026 at 1:29 a.m.
4. The Tenant testified that she vacated the rental unit on March 15, 2026 and returned keys to the Landlord on the same day by placing them in the mailbox.

The Tenant testified that she communicated this to the Landlord and the Landlord confirmed receiving the keys.

5. Based on the evidence before the Board, I prefer the direct evidence of the Tenant. I found the Tenant's testimony to be both credible and reliable. The Landlord did not attend the hearing to provide any direct evidence.
6. The Landlord's Legal Representative submitted into evidence a letter sent to the Tenant on March 13, 2026 and an email from the Landlord to the Landlord's Legal Representative. Both these documents were hearsay evidence and not probative. Neither document proves that the Tenant is still in possession of the rental unit on March 17, 2026 when the Landlord filed the application.
7. Based on the evidence before the Board and on a balance of probabilities, I find that the Tenant vacated the rental unit on March 15, 2026 and there was no reason for the Landlord to file the L3 application on March 17, 2026. As such, the Landlord's application is dismissed.
8. In the alternative, the Landlord's request for the filing fee would have been denied for the following reasons.
9. The issue of costs is addressed in the Board's Interpretation Guideline 3. Guideline 3 states that:

In most cases, the only costs allowed will be the application fee. This should be ordered if the applicant is successful in obtaining an order which allows the relief they asked for in the application, or substantially all of that relief.
10. While Guidelines are not binding upon Board Members, I see no reason to deviate from the direction set out in Guideline 3 in this matter.
11. In accordance with Guideline 3, if the Landlord is not seeking an order granting the relief they asked for in the application, then the Landlord's application cannot be considered successful. As the Landlord here did not successfully obtain substantially all of the relief requested in their application, I would have found it inappropriate to award the filing fee.

It is ordered that:

1. The Landlord's application is dismissed.

May 1, 2026
Date Issued

Vicky Liu
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.