



**Order under Section 79 / 88.2
Residential Tenancies Act, 2006**

File Number: LTB-L-098839-25

In the matter of: 215 MARY ST N
OSHAWA ON L1G5C3

Between: Lewis Craig Landlord

And

Harry Dalkner Tenant

Lewis Craig (the 'Landlord') applied for an order to terminate the tenancy and evict Harry Dalkner (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

Lewis Craig (the 'Landlord') also applied for an order requiring Harry Dalkner (the 'Tenant') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the 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 February 23, 2026 and April 13, 2026.

On February 23, 2026, only the Landlord and the Landlord's Support Person Ryan Craig attended the hearing.

As of 9:34 a.m. on February 23, 2026, 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.

On April 13, 2026 as of 12:35 p.m. neither the Landlord nor the Tenant were 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 this Order is based solely on the evidence from February 23, 2026.

Determinations:

1. I find on a balance of probabilities that the Tenant abandoned the rental unit.

2. The Landlord testified that the Tenant's rent cheque for October, 2025 did not clear and the Landlord attempted to reach out to the Tenant via telephone and email but received no response.
3. The Landlord attended the rental unit in November, 2025 and found that unit was totally empty and that water and hydro had been shut of to the rental unit.
4. The Landlord has made reasonable efforts to contact the Tenant, and the Landlord has been unable to contact the Tenant to confirm that the unit has been abandoned.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. There is no last month's rent deposit.

Compensation for unpaid utilities

7. The Landlord alleges that the Tenant failed to pay utility costs that they were required to pay under the terms of the tenancy agreement.
8. At the hearing on February 23, 2026 the Landlord adduced no evidence with respect to their claim for unpaid utility costs. The matter was reconvened on April 13, 2026 to permit the Landlord an opportunity to do so.
9. The Landlord failed to attend the hearing on April 13, 2026.
10. With out any evidence in support of the Landlord's claim, the Landlord has not proven that they incurred or will incur reasonable out-of-pocket expenses as a result of the Tenant's failure to pay utility costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant has abandoned the rental unit.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing on or before May 12, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 13, 2026 at 4.00% annually on the balance outstanding.

May 1, 2026
Date Issued

Sean Ramage
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.