



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

File Number: LTB-L-009924-26

In the matter of: 25 MELCHIOR CRES
Markham ON L3R9A5

Between: Ying Yu Landlord

And

Jing Wu Tenant

Ying Yu (the 'Landlord') applied for an order to terminate the tenancy and evict Jing Wu (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on April 22, 2026.

The Landlord and the Tenant attended the hearing.

Preliminary issue:

1. Although there were multiple applications filed, the only one signed, dated and properly before me is the one dated February 3, 2026 seeking a declaration of abandonment pursuant to subsection 79 of the Residential Tenancies Act, 2006 (the "Act") effective January 28, 2026, daily compensation for each day after the termination date with no indication of arrears owing

Determinations:

2. The parties before me agreed, despite that the application was seeking a declaration of abandonment, the rental unit was that of a Superintendent whose employment terminated on January 28, 2026.
3. It was also agreed that the Tenant vacated the rental unit on January 28, 2026. Accordingly, although the Landlord was seeking daily compensation for each day post the termination date, I am not satisfied they are warranted as the Tenant vacated on the date

their employment was terminated and the section 79 of the Act does not permit daily compensation be awarded.

4. Furthermore, although the Landlord requested arrears, the above noted application did not indicate such. Upon making this determination the Landlord requested to amend the application, which I denied. I denied this request on the basis that given consideration of the circumstance, it would be prejudicial to the Tenant and constitute an abuse of process.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 28, 2026.

May 5, 2026
Date Issued

Kelly Delaney
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.