



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-101078-25

In the matter of: 121 WAGON DRIVE
DUNROBIN ON K0A1T0

Between: Mathieu Herr Tenant

And

SMP HOLDINGS INC Landlord

Mathieu Herr (the 'Tenant') applied for an order determining that SMP HOLDINGS INC (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 30, 2026.

Only the Tenant attended the hearing.

As of 9:17 a.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. As explained below, the Tenant proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord shall be required to compensate the Tenant pursuant to the terms of this order.
2. The Tenant occupied the rental unit on September 1, 2024.
3. On or about July 18, 2025, the Landlord served the Tenant with an N12 Notice to terminate a tenancy for the Purchaser's Own Use. The N12 had a termination date of September 30, 2025.
4. The Tenant served the Landlord with a copy of an N9 Notice to end a tenancy. The N9 Notice notified the Landlord that the Tenant would be vacating the rental unit on August 31, 2025. The Tenant testified that the Landlord accepted the notice and assured the Tenant that the one-month compensation would be paid to the Tenant upon closing of the property.
5. The Tenant vacated the rental unit on August 31, 2025.

6. The lawful rent at the time that the Tenant received the N12 Notice was \$3,350.00 per month.
7. As of the date of the hearing, the Landlord has not provided the Tenant with the compensation as required under the Act.
8. Based on the uncontested evidence, I am satisfied that the Landlord gave the Tenant a notice of termination under section 49 of the *Residential Tenancies Act, 2006* (the 'Act') and did not pay the Tenant the compensation required by the Act.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$3,398.00. This amount represents:
 - \$3,350.00 for the compensation owing.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenant the full amount owing by May 18, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by May 18, 2026, the Landlord will owe interest. This will be simple interest calculated from May 19, 2026, at 4.00% annually on the balance outstanding.
4. The Tenant has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

May 7, 2026
Date Issued

Ilan Shingait
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.