



**Order under Section 30
Residential Tenancies Act, 2006**

File Number: LTB-T-053716-25

In the matter of: 22 Rubydale gdns
Toronto ON M9L2B9

Between: Chelsea Braam-Carew Tenant

And

Glen Samuel Landlord

Chelsea Braam-Carew (the 'Tenant') applied for an order determining that Glen Samuel (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on May 4, 2026.

Only the Tenant attended the hearing.

As of 12:20pm, 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.

The Tenant was able to consult with Tenant Duty Counsel prior to the hearing.

Determinations:

1. For the reasons that follow the Tenant's request for an adjournment to amend her application is denied and the Tenant's application is dismissed.

REQUEST TO AMEND

2. At the hearing, the Tenant informed the Board that she had vacated the rental unit in October 2025.
3. I raised a preliminary issue with respect to the only remedy sought in the application, specifically, whether it was rendered moot by the Tenant's act of vacating the rental unit; the Tenant agreed.
4. The Tenant sought to amend her application and adjourn the hearing to allow her the opportunity to do so.

5. The problem with the Tenant's request is that she filed the application in July 2025 and so has had since then to amend her application; I note the notice of hearing was sent to the Tenant five months before the hearing date.
6. While the Tenant submits she didn't know it was necessary to amend her application, that she was unaware of how to do so and that she had made efforts to seek legal advice before the hearing, none of the assertions she made had documentary evidence to corroborate her stance.
7. Rule 15 of the Board's Rules of Procedure state:

The request to amend will be decided at the hearing after considering:

whether the amendment was requested as soon as the need for it was known;

any prejudice a party may experience as a result of the amendment;

whether the amendment is significant enough to warrant any delay that may be caused by the amendment;

whether the amendment is necessary and was requested in good faith; and

any other relevant factors.

8. It is unclear why the Tenant did not amend her application when she vacated the rental unit in October 2025 or thereafter but before the hearing date; it is also unclear what efforts the Tenant took to obtain legal counsel/advice and instructions on amending the application before the hearing date.
9. Therefore, based on the submissions before me, the request to amend is denied and the request to adjourn the hearing to do so is also denied. The Tenant's application must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

May 6, 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.