



**Order under Section 87 / 89 / 88.1
Residential Tenancies Act, 2006**

File Number: LTB-L-061534-24-RV

In the matter of: 4805, 10 YORK STREET
TORONTO ON M5J 0E1

Between: Paula Ho Landlord

and

Ishrak Bin Iltut Former Tenant

Review Order

Paula Ho (the 'Landlord') applied for an order requiring Amazon (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Paula Ho (the 'Landlord') applied for an order requiring Amazon (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that are the result of the Former Tenant's conduct or that of another occupant of the rental unit or someone the Former Tenant permitted in the residential complex. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest.

Paula Ho (the 'Landlord') applied for an order requiring Amazon (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

The application was resolved by order LTB-L-061534-24 issued on January 6, 2026.

On March 31, 2026, the Board granted interim order LTB-L-061534-24-RV-IN2, cancelling order LTB-L-061534-24 issued on January 6, 2026 and directing a rehearing of the application.

The application returned before me in videoconference room 103 on May 5, 2026 to be reheard.

Only the Former Tenant and his legal representative Christopher Williams attended the hearing.

As of 2:10 pm, 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.

Determinations:

1. I find that this application has been abandoned because the Landlord did not appear to support their application.
2. The Former Tenant requested legal costs thrown away. He pointed out that this rehearing had been convened at the Landlord's request. He also pointed out that costs were ordered against the Landlord in order LTB-L-061534-24 issued on January 6, 2026 that has since been cancelled at the Landlord's request.
3. The Board's Interpretation Guideline 3 *Costs* dated December 15, 2018 explains that the Board will exercise its discretion under section 204 of the Act and of 17.1 of *Statutory Powers Procedures Act* to award costs against a party where the conduct of that party, its agent or legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay and the Guideline goes on list several examples of unreasonable conduct. What all of the examples have in common is an element of willful misconduct. Board Guidelines are not binding on the Board but I accept this interpretation as the correct statement of the law and consistent with the Board's customary practice aimed at ensuring access to justice for all participants without fear of adverse costs consequences.
4. The Former Tenant's request for costs is denied because he was unable to point to any unreasonable conduct on the part of the Landlord. Her unexplained failure to appear in support of her application is not sufficient.

It is ordered that:

1. The application is dismissed.

May 12, 2026
Date Issued

Nersi Makki

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.