



Order under Subsection 87(1) Residential Tenancies Act, 2006

File Number: LTB-L-013730-26

In the matter of: 0301, 2920 FAIRLEA CRES
OTTAWA ON K1V8T9

Between: MetCap Living Management Inc. Landlord

And

Nidal Hajjar Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order requiring Nidal Hajjar (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on May 6, 2026.

The Landlord's legal representative, Stella Idahosa, and the Tenant attended the hearing.

Determinations:

1. For the following reasons, the Landlord's application must be dismissed.
2. First, I would note that the application was filed by the former Landlord. The application was filed on February 13, 2026, and the former Landlord sold the residential complex on February 26, 2026. In the normal course of events, the former Landlord would not have any standing before the Board and this matter would have been adjourned so that the application could be amended to name the current Landlord and the current Landlord could be served with notice of the hearing. However, as the hearing unfolded, it became clear that those steps were not necessary because the former's Landlord's application would not be granted.
3. The parties agree that the former Landlord's application only claims rent for February 2026. The parties agree that the Tenant moved out of the rental unit in February 2026 and the tenancy was terminated at that time. The parties agree that, at the start of the tenancy, the Tenant paid to the former Landlord rent for the first month as well as a last month's rent deposit.
4. Pursuant to subsection 105(10) of the Act, "a landlord **shall** apply a rent deposit that a tenant has paid to the landlord or to a former landlord in payment of the rent for the **last rent period before the tenancy terminates.**" [Emphases added]

5. This section means that the former Landlord was obliged to apply the Tenant's rent deposit to the last month of the tenancy, which was February 2026.
6. As the Tenant's deposit was applied to February's rent, there is no rent owing to the former Landlord for February 2026. As there is no rent owing to the former Landlord, the application must be dismissed.
7. Finally, I would note that, after the hearing concluded, the Landlord's legal representative re-entered the hearing room to ask if they would be awarded the filing fee.
8. Pursuant to Guideline 3 of the Board's Interpretation Guidelines, "in most cases, the only costs allowed will be the application fee. This should be ordered **if the applicant is successful** in obtaining an order which allows the relief they asked for in the application, or substantially all of that relief." [Emphases added]
9. In this instance, as the former Landlord's application was unsuccessful, they are not entitled to recover the costs of filing the application.

It is ordered that:

1. The Landlord's application is dismissed.

May 12, 2026
Date Issued

Laura Hartsliet
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.