



**Order under Section 87
Residential Tenancies Act, 2006**

File Number: LTB-L-070942-25

In the matter of: 1911, 2600 DON MILLS RD
NORTH YORK ON M2J3B4

Between: Hunters Lodge Apts. Inc. Landlord

And

Vishal Shah Former Tenant
Kunal Trambadia

Hunters Lodge Apts. Inc. (the 'Landlord') applied for an order requiring Vishal Shah and Kunal Trambadia (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on March 11, 2026.

Only the Landlord's Legal Representative Howard Levenson attended the hearing.

As of 10:30 a.m., the Former Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Landlord. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence

Determinations:

1. As explained below, the Landlord did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
2. At the hearing, I asked the Landlord if they had served the application and the Notice of Hearing to the Former Tenants. The Board's records do not contain a certificate of service showing this was done.
3. I pointed out to the Landlord that both the L10 application and the Notice of Hearing clearly advise her of her obligation to serve the Former Tenants. The Notice of Hearing also contains a hyperlink to a Board brochure with instructions on how to serve former tenants. The Notice of Hearing was sent to the Landlord on October 24, 2025, and despite this, the Landlord took no steps to serve the Former Tenants with the application and the Notice of Hearing.

4. Based on the submissions of the Landlord, I was not satisfied that the Landlord served the Former Tenants with the application and Notice of Hearing using a method permitted in subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 3.3 of the LTB's Rules of Procedure.
5. I considered Rule 5.17 and Rule 21.8 of the Board's Rules of Procedure in determining this was not a case that warranted an adjournment. The Landlord is required to exercise some diligence to ensure their application can proceed. In my view, this includes reading the application and the Notice of Hearing and complying with the service requirements or making a reasonable attempt to do so. Here, the Landlord did nothing more than file the application despite having more than four months from the date the Notice of Hearing was issued to serve the Former Tenants.
6. I also considered the prejudice to the Landlord in not adjourning the file, however, in my view, this prejudice is a result of the Landlord's failure to act on the clear instructions contained in the application and the Notice of Hearing to serve the documents to the Former Tenants. The Landlord could have attended the hearing prepared to demonstrate they had been diligent in trying to serve the Former Tenants and were likely to succeed if the matter was adjourned. This was not the case here. For these reasons, I did not find there was a reasonable basis to adjourn the file, and I dismissed the Landlord's application because of a lack of service.

It is ordered that:

1. The Landlord's application is dismissed.

May 19, 2026
Date Issued

Anthony Bruno
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.