



Order under Section 79 / 88.2 Residential Tenancies Act, 2006

Citation: Grey County Housing v Specht-Martin, 2026 ONLTB 39392

Date: 2026-05-27

File Number: LTB-L-021985-26

In the matter of: 32, 80 VICTORIA ST
MEAFORD ON N4L1R7

Between: Grey County Housing Landlord

And

Jennifer Specht-Martin Tenants
Kody Martin

Grey County Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Specht-Martin and Kody Martin (the 'Tenants') because:

- the Landlord believes that the Tenants abandoned the unit.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

Grey County Housing (the 'Landlord') also applied for an order requiring Jennifer Specht-Martin and Kody Martin (the 'Tenants') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenants' failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on May 13, 2026.

Only the Landlord's Agent, Amy Young, attended the hearing.

As of 10:30 a.m., the Tenants were 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 Landlord's evidence.

Determinations:

1. This application asks the Board to determine that the Tenants abandoned the rental unit on February 19, 2026.
2. The Board's Interpretation Guideline 4, entitled Abandonment of a Rental Unit explains the concept of abandonment as follows:

Abandonment is a unilateral act by the tenant to relinquish their tenancy and **give up possession of the rental unit** without properly giving notice of the termination to the landlord. If the landlord is not sure whether or not a rental unit has been abandoned, they may file an application for determination of this issue with the Board; however, it should be noted the Board has no jurisdiction to issue an order for rent or compensation if a tenant is no longer in possession of the rental unit (see section 87). In this case, the landlord may seek a remedy by applying to Court.

Section 2(3) of the RTA provides that a rental unit is not considered abandoned where the tenant is not in arrears of rent. Even if there is evidence of abandonment, such as the furniture being removed, the landlord cannot treat the unit as abandoned before the end of the rental period if the rent is fully paid.

3. The Landlord's Agent testified that the tenancy begun October 1, 2025 and their first month's rent was paid, but no rent has been paid since.
4. On November 6, 2025, an inspection was done to the rental unit, and it was noted that there were new appliances that were moved in, but that there appeared to be no other personal items in the rental unit. Another inspection occurred on February 19, 2026, and maintenance staff noted the rental unit was completely empty and that the new appliances were now removed.
5. The Landlord have made continual efforts to contact the Tenants by email and text, and there has been no response. The Tenants never given any notice to the Landlord of their intention to vacate the rental unit.
6. Based on the uncontested evidence before me, I find on a balance of probabilities the rental unit was abandoned on February 19, 2026.
7. The Landlords are requesting the application filing fee in the amount of \$186.00 and are entitled to those costs.
8. The Landlords are also requesting the Tenants pay the outstanding water bill in the amount of \$520.19 as well as the daily compensation. The Board has no jurisdiction to issue an order for rent, compensation, or a utility bill if a tenant is no longer in possession of the rental unit when the application was filed. As such the merits on those issues were not heard. The Landlord is entitled to file another type of application to address these claims.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated, as of February 19, 2026.
2. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before June 7, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 8, 2026 at 4.00% annually on the balance outstanding.

May 27, 2026
Date Issued

Paula West Oreskovich
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.