



Order under Section 79 Residential Tenancies Act, 2006

File Number: LTB-L-027872-26

In the matter of: Lot 44, 5797 20th Sideroad
Utopia ON L0M1T0

Between: Saules Kalns Cottage Residents' Association Landlord

And

Oskars Priede Tenant

Saules Kalns Cottage Residents' Association (the 'Landlord') applied for an order to terminate the tenancy and evict Oskars Priede (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

This application was heard by videoconference on May 20, 2026.

Only the Landlord Agent, Andrew Downing (AD), and the Landlords Agents, Lilita Tannis and Anita Sydor, attended the hearing.

As of 1:30 p.m., the Tenant 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 Landlord's evidence.

Determinations:

1. The Board's Interpretation Guideline 4: "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.

2. The uncontested evidence before me was that the Tenant was in arrears when the Application was filed on March 30, 2026. The Tenant has been in arrears of rent since December 2023. Moreover, the Landlord's Agent AD provided uncontested testimony that the Tenant had left behind chattels, as this was a land lease, and the Tenant had not contacted the Landlord regarding his chattels left behind or returned to the rental unit nor paid rent since December 2023, nor responded to email correspondence from the Landlord, and was AD understanding that the Tenant was residing out of country.

3. I am satisfied based on AD's uncontested evidence that the Tenant has abandoned the rental unit.

4. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

5. There is no last month's rent deposit.

6. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of May 20, 2026.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount the Tenant must pay the Landlord is \$186.00.
4. If the Tenant does not pay the Landlord the full amount owing on or before June 5, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 6, 2026, at 4.00% annually on the balance outstanding.

May 25, 2026
Date Issued

Panagiotis P. Roupas
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.