



Order under Section 79 Residential Tenancies Act, 2006

File Number: LTB-L-023063-26

In the matter of: 607, 79 JAMESON AVE
TORONTO ON M6K2W7

Between: MEDALLION CORPORATION

Landlord

And

JOSH MCCARTNEY

Tenant

MEDALLION CORPORATION (the 'Landlord') applied for an order to terminate the tenancy and evict JOSH MCCARTNEY (the 'Tenant') because:

- the Landlord believes that the Tenant abandoned the unit.

This application was heard by videoconference on May 21, 2026.

Only the Landlord's legal representative, Marija Jelic, attended the hearing.

As of 10:06 a.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. As explained below, I find, on a balance of probabilities, that the Landlord has established that the Tenant abandoned the rental unit. Accordingly, the tenancy is terminated.
2. The Landlord filed an L2 application on March 13, 2026, alleging that the Tenant had abandoned the rental unit.
3. The Board's Interpretation Guideline 4: Abandonment of a Rental Unit provides that abandonment occurs where a tenant unilaterally relinquishes possession of the rental unit without providing proper notice to the landlord.

Abandonment

4. The evidence establishes that the Tenant was in significant arrears of rent.

5. Based on the uncontested evidence before the Board, I find that the Tenant abandoned the rental unit for the following reasons:
6. The Landlord issued an N4 Notice for non-payment of rent on or about January 6, 2026. On or about February 5, 2026, the Landlord requested that the Tenant attend at the management office to provide identification and updated contact information; however, the Tenant did not respond or attend.
7. The Landlord subsequently served a notice of entry and attended the rental unit on February 12, 2026. At that time, the Landlord's superintendent observed that the unit was vacant.
8. The Landlord's evidence further establishes that the Tenant had accumulated rent arrears in the amount of \$24,975.24. A copy of the Tenant's ledger was filed in evidence.
9. The Landlord's legal representative submitted that on February 17, 2026, the locks to the rental unit were changed and a right of re-entry notice was issued. The Tenant has not contacted the Landlord to request keys or otherwise attempt to regain possession of the unit.
10. On February 17, 2026, the Landlord's representative also emailed the Tenant requesting confirmation of the date the Tenant vacated the unit. The Tenant did not respond. A copy of this communication was entered into evidence.
11. Taken together, the vacancy of the unit, the absence of any communication from the Tenant, the failure to attend at the Landlord's office, and the substantial arrears of rent support a finding that the Tenant relinquished possession of the rental unit.
12. I am therefore satisfied, on a balance of probabilities, that the Tenant abandoned the rental unit.
13. The Landlord incurred a filing fee of \$186.00 and is entitled to reimbursement of this amount.
14. This order contains all the reasons for my decision. No further reasons will be issued.

It is ordered that:

1. The tenancy is terminated effective February 17, 2026, the date on which the Landlord took possession of the rental unit after determining that it had been abandoned.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount owing by the Tenant to the Landlord is \$186.00.
4. If the Tenant does not pay the full amount on or before June 5, 2026, interest shall accrue on the outstanding balance commencing June 6, 2026, at the rate of 4.00% per year, calculated as simple interest. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the tenancy is terminated as of June 5, 2026.

May 25, 2026
Date Issued

Teresa Hunt
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.