



**Order under Section 88.2
Residential Tenancies Act, 2006**

File Number: LTB-L-022509-26

In the matter of: 2, 49 Robins Avenue
Hamilton ON L8H4N3

Between: David Gerard Landlord

And

Christopher Lawson Tenant

David Gerard (the 'Landlord') applied for an order requiring Christopher Lawson (the 'Tenant') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's 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 21, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for the claim for compensation in the application arising from unpaid utility costs. Therefore, the Tenant shall pay the Landlord \$3,334.34.
2. The Tenant was in possession of the rental unit on the date the application was filed.

Compensation for unpaid utilities

3. The Landlord submitted that, pursuant to the terms of the tenancy agreement, the Tenant was responsible for the payment of utility costs, including Heat/Gas utilities. The Landlord prepared and provided a ledger to the Tenant outlining the outstanding balances. Copies of the tenancy agreement and Tenant ledger were filed in evidence.
4. The Landlord also submitted copies of Enbridge gas invoices for the period from January 12, 2024 to December 9, 2025, totalling \$3,133.34, all of which were filed in evidence.
5. The Landlord testified that, by way of a letter dated February 13, 2025, the Tenant was reminded of his obligations under the tenancy agreement to assume responsibility for the gas account effective January 15, 2024, the date the tenancy commenced. The Landlord

testified that the Tenant failed to do so and has not made arrangements to assume the account or pay the outstanding balance.

Tenant evidence

6. The Tenant acknowledged that he is responsible for utility costs under the tenancy agreement but disputed the total amount claimed by the Landlord. The Tenant submitted that other units in the residential complex may have contributed to the consumption. However, the Tenant did not file any documentary evidence or bring his own application to support this position, and I do not find this submission sufficient to rebut the Landlord's evidence.
7. The Landlord testified, and the Tenant did not dispute, that the residential complex contains three units, with separate heating and hot water systems. The Tenant's unit was equipped with its own hot water tank.
8. On the evidence before me, I am satisfied that the Tenant was responsible for the utility costs claimed and failed to pay them as required under the tenancy agreement. In reaching this conclusion, I rely on the undisputed evidence that the rental unit had a separate hot water tank and heating system, which supports that the consumption related to the Tenant's unit rather than other units in the complex.
9. I therefore find that the Landlord incurred reasonable out-of-pocket expenses in the amount of \$3,334.34 as a result of the Tenant's failure to pay utility costs.

Daily compensation, NSF charges, rent deposit

10. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$3,133.34, which represents the reasonable out-of-pocket expenses the Landlord has incurred or will incur as a result of the unpaid utility costs.
2. The Tenant shall also pay to the Landlord \$201.00 for the cost of filing the application.
3. The total amount the Tenant must pay the Landlord is \$3,334.34.
4. If the Tenant does not pay the Landlord the full amount owing on or before June 6, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 7, 2026 at 4.00% annually on the balance outstanding.

May 26, 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.