



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-096227-24
LTB-T-096832-24

In the matter of: B, 4201 Pigram Road
Thames Centre ON N0L1V0

Between: Justine Ochitwa Tenant

And

Jarno Slegh Landlord

Justine Ochitwa (the 'Tenant') applied for an order determining that Jarno Slegh (the 'Landlord') :

- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was heard by videoconference on May 26, 2026.

Only the Landlord's legal representative Elizabeth Anani attended the hearing.

As of 9:25 am, 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.

Determinations:

1. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.

The Request for Costs

2. The Landlord's legal representative seeks costs in the amount of \$100.00 as a result of the Tenant's failure to properly request to withdraw the applications in advance of the hearing or at the hearing.
3. I note, the parties attended an Adjudicate Case Conference on February 4, 2026. At the ACC and as per the interim order issued on February 9, 2026, among other things, the

Tenant was put on notice of deficiencies in the applications and details with respect to the process to request to amend the applications. The Tenant did not comply.

4. The Landlord's representative said that around March 3, 2026, the Tenant advised the Landlord that she did not intend to pursue the applications. The representative advised the Tenant of the proper steps to withdraw the applications and failure to do so would result in the representative's required attendance at the hearing. She also advised the Tenant that if she did not undertake to request to withdraw the applications, she would seek costs against the Tenant.
5. The representative said the Tenant has had around two months to contact the LTB to withdraw the application and has taken no reasonable steps to do so.
6. Pursuant to Guideline 3, the Board does not normally award costs (other than the applicant's filing fee in certain circumstances) unless the conduct of a party is unreasonable causing undue expense or delay. Although the Guideline is not binding on the Board, I see no reason not to follow it in this instance.
7. Based on the submissions of the Landlord's representative, I find the conduct of the Tenant to be unreasonable. She chose not to pursue the applications she filed with the Board and took no steps to withdraw them, even when she was made aware of the process. The Landlord's representative had no choice but to attend the hearing as a result of the Tenant's failure to withdraw the applications in advance of the hearing.
8. The maximum amount of costs the Board can award per proceeding or application pursuant to the commentary to Rule 23.2 of the Board's Rules of Practice is \$700.00.
9. As per Guideline 3, generally fees that relate to time spent at the hearing by a party's legal representative are considered.
10. I am satisfied that the Tenant did not intend to pursue the applications and did not withdraw them after being advised to do so by the Landlord's representative. The Tenant wasted the Board's time and the Landlord's representative's time. The Landlord incurred undue expense in defending the Tenant's application.
11. On the day of the hearing, the matter was called around 9:25 am, and concluded around 9:35 am. The LTB process is to consider this time as 1 hour. Accordingly, the Tenant will be ordered to pay to the Landlord \$100.00.

It is ordered that:

1. The Tenant's applications are dismissed.
2. The Tenant shall pay to the Landlord \$100.00 on or before June 9, 2026.
3. If the Tenant does not pay the Landlord the full amount owing on or before June 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 10, 2026 at 4.00% annually on the balance outstanding.

May 28, 2026
Date Issued

Dana Wren
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.