



Order under Section 88.2 Residential Tenancies Act, 2006

Citation: James v White, 2026 ONLTB 44071

Date: 2026-06-05

File Number: LTB-L-016530-26

In the matter of: 855 Datzell Lane
Kingston ON K7M7P9

Between: Douglas Robert James Landlord

And

Tanya White Tenant

Douglas Robert James (the 'Landlord') applied for an order requiring Tanya White (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 4, 2026.

Only the Landlord attended the hearing.

As of 9:58 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, the Landlord has proven on a balance of probabilities the grounds for the claim for compensation in the application. Therefore, the Tenant must reimburse the Landlord.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
4. The Tenant failed to pay water costs that they were required to pay under the terms of the tenancy agreement. The Landlord testified that the Tenant is required to pay water bills under the tenancy agreement and that the Tenant has acknowledged that they are required to do so in text message discussions about the utilities accounts. I find the

Landlord's unchallenged testimony to be consistent and credible, as it is supported by the documentation provided at the hearing.

5. The Landlord has incurred reasonable out-of-pocket expenses of \$1,397.27 as a result of the Tenant's failure to water costs. The Landlord provided documentary evidence of notices from Utilities Kingston regarding the outstanding account balance of the water account for the rental unit and of these unpaid amounts ultimately being transferred to the Landlord's property tax rolls.
6. The Landlord testified that he has paid all amounts owing to the utility and that the Tenant's outstanding balance with respect to water costs is \$1,397.27. This amount accounts for all payments the Landlord has received from the Tenant with respect to the water account.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,397.27, 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 \$186.00 for the cost of filing the application.
3. If the Landlord does not pay the Tenant the full amount owing on or before June 16, 2026, the Landlord will start to owe interest. This will be simple interest calculated from June 17, 2026 at 4.00% annually on the balance outstanding.

June 5, 2026

Date Issued

Jeremy Henderson

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.