



**Order under Section 69 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-097339-24

In the matter of: 10, 78 West St S
Orillia ON L3V5G4

Between: Market West Inc Landlord

And

James Scott Tenant

Market West Inc (the 'Landlord') applied for an order to terminate the tenancy and evict James Scott (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex used the rental unit or the residential complex in a manner that is inconsistent with use as a residential premises and that has caused or can be expected to cause significant damage.

The Landlord also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

This application was heard by videoconference on January 20, 2025, and June 4, 2026. Only the Landlord Tom Jarvis attended the first hearing. The matter was adjourned as the Landlord had submitted his evidence to the wrong LTB file.

Interim order LTB-L-097339-24-IN was issued on January 24, 2025, requiring both parties to properly disclose their evidence by specific deadlines. Since the first hearing, no evidence was disclosed.

Neither the Landlord nor the Tenant was present or represented at the June 4, 2026, hearing as of 11:47 AM 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 Landlord did not attend the hearing to support their application, I find that this application has been abandoned.

It is ordered that:

1. The Landlord's application is dismissed.

June 12, 2026

Date Issued

Kate Sinipostolova

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.