



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-021550-26

In the matter of: 5, 207 RANEE AVE
NORTH YORK ON M6A1N3

Between: McGinley Bros Inc. Landlord

And

Ainsley Roy Tenant

McGinley Bros Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Ainsley Roy (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on May 25, 2026.

Only the Landlord's Agents, Brendan Charters and Christopher Mior attended the hearing.

As of 9:48 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. At the commencement of the hearing, I raised a preliminary issue that the Landlord did not file any certificate of service related to the notices before the Board.
2. Section 53, paragraph 1, of O.Reg 516/06 (the "Regulations") provides that an application with respect to a notice of termination on any ground must include both a copy of the notice of termination and a certificate of service for the notice of termination, if the notice was given by the landlord.
3. Section 59(2) of the Regulations provides that where an application is filed electronically, the required documents must be received by the LTB within 5 days of the electronic filing of the application.

4. Section 185(1) of the *Residential Tenancies Act*, 2006 (the “Act”) provides that an application filed with the LTB shall be accompanied by the documents prescribed in the Regulations.
5. After I raised this preliminary issue, the Landlord requested to withdraw their application, which I consented to.

It is ordered that:

1. The Landlord’s application is withdrawn.

June 12, 2026
Date Issued

Samantha Greaves
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.