



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

File Number: LTB-L-076470-25-RV2

In the matter of: 417 Campbell St
Cobourg ON K9A4C3

Between: David Evans Landlord

And

Ryan Day Tenant
Roxane Burnette

David Evans (the 'Landlord') applied for an order to terminate the tenancy and evict Ryan Day and Roxane Burnette (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has willfully caused undue damage to the premises.

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

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 resolved by order LTB-L-076470-25 issued on January 9, 2026.

On January 15, 2026, the Landlord requested a review of the order.

On January 19, 2026, interim order LTB-L-076470-25-RV-IN was issued, directing the matter to a hearing.

The review request was heard by video conference on February 25, 2026. Review order LTB-L-076470-25-RV issued on March 6, 2026, granted the review request and directed that the application be heard *de novo*. The Member also heard and dismissed the termination portion of the application due to defects in the notice of termination.

The *de novo* hearing for the monetary portion of the application was held on June 9, 2026.

Neither the Landlord nor the Tenant was present or represented at the hearing as of 9:30 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.