



**Order under Section 88.2
Residential Tenancies Act, 2006**

File Number: LTB-L-029285-26

In the matter of: UPPER, 488 HIDDEN CREEK DR
Kitchener ON N2N3M1

Between: Christopher Reid Landlord
Candi Reid

And

Adam Locke Tenant

Christopher Reid and Candi Reid (the 'Landlord') applied for an order requiring Adam Locke (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 June 11, 2026.

Only the first named Landlord attended the hearing.

As of 1:25 p.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:

Request for an Amendment Granted

1. In the L2 application, the Landlord is requesting \$2,841.61 in unpaid utility bills. The Landlord seeks to amend the application to \$3,429.93 in new unpaid utility bills that came due after the L2 application was filed. The Landlord indicates the Tenant is aware of the new bills that became due as he emailed them to him.
2. Rule 15 of the Board's Rules of Procedure outline the method and considerations that must be made with respect to amending applications. This rule states that such requests must be made in writing, served to the other side and filed with the Board. In considering amendment requests, the Board needs to consider the following:

- a. whether the amendment was requested as soon as the need for it was known;
 - b. any prejudice a party may experience as a result of the amendment;
 - c. whether the amendment is significant enough to warrant any delay that may be caused by the amendment;
 - d. whether the amendment is necessary and was requested in good faith; and
 - e. any other relevant factors.
3. Although the amendment request was not filed with the Board nor served on the Tenant, the Tenant knew about the new utility bills that came due after the application was filed. Therefore, there is no prejudice to the amendment request as the Tenant is aware of the bills and new total owing. As such, the request to amend the application to \$3,429.93 in utility bills owing is granted.

Section 88.2 of the Residential Tenancies Act, 2006, (the 'Act')

4. This application is about unpaid utility bills under section 88.2 of the Act. For the reasons that follow, I am satisfied that the Tenant is responsible for paying the utility bill of water, electricity and gas under the tenancy agreement and the tenant failed to do so. As such, the Tenant is ordered to pay to the Landlord \$3,429.93 plus the application filing fee on or before June 28, 2026.
5. The Tenant was in possession of the rental unit on the date the application was filed.
6. The Tenant vacated the rental unit on May 15, 2026.
7. The Landlord provided as evidence the lease agreement which demonstrated that under section 6 the Tenant is responsible to pay the water, electricity, and gas. Pursuant to section 2(1) of the Act, water, gas, and electricity are utilities. Therefore, the Landlord is entitled to make a claim for unpaid utilities.
8. The water, electricity, and gas bills are under the Landlord's name. The Tenant is responsible to pay the Landlord once the Landlord provides the bill to the Tenant. The Landlord provided into evidence all of the utility bills for the period starting July 10, 2024 up to the date the Tenant vacated the rental unit. The Landlord says that the Tenant paid \$1,335.88 towards the utilities in total during that period.
9. Based on the uncontested evidence before me, I am satisfied that the Tenant failed to pay the utility bills of water, gas, and electricity, that they were required to pay under the terms of the tenancy agreement.
10. The Landlord has reasonable out-of-pocket expenses of \$3,429.93 as a result of the Tenant's failure to pay the electricity, gas, and water.
11. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 15, 2026.
2. The Tenant shall pay to the Landlord \$3,429.93, which represents the reasonable out-of-pocket expenses the Landlord has incurred or will incur as a result of the unpaid utility costs.
3. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. The total amount the Tenant owes the Landlord is \$3,615.93.
5. If the Tenant does not pay the Landlord the full amount owing on or before June 28, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 29, 2026 at 4.00% annually on the balance outstanding.

June 17, 2026
Date Issued

Paula West Oreskovich
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.