



Order under Section 130 Residential Tenancies Act, 2006

File Numbers: LTB-T-088154-24, LTB-T-031958-25,
LTB-T-066491-25, LTB-L-079811-25

In the matter of: 5, 46 ADELAIDE ST
PORT COLBORNE ON L3K2W2

Between: Patrick McSherry Tenant

And

Michael Smith Landlord
Hometown Properties

Patrick McSherry (the 'Tenant') applied for an order determining that Hometown Properties and Michael Smith (the 'Landlord'):

- a reduction or discontinuance in services or facilities provided in respect of the rental unit or the residential complex. (T3 application)
- entered the rental unit illegally. (T2 application)
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household. (T2 application)
- harassed, obstructed, coerced, threatened or interfered with the Tenant. (T2 application)
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards. (T6 application)

Hometown Properties Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Patrick McSherry (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 7, 2026.

Only the Landlord Michael Smith and the Landlord's Legal Representative Judith Callender attended the hearing.

As of 9:15 am, 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.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order.

Determinations:

1. At the hearing, the Landlord sought to withdraw their L1 application because the Tenant is deceased, and I consented to the request.
2. Since neither the Tenant nor a representative of the Tenant attended the hearing to support their applications, I find that these Tenant applications have been abandoned.

It is ordered that:

1. The Tenant's T2, T3, and T6 applications are dismissed.
2. The Landlord's L1 application having been withdrawn, the LTB's file for that application is closed.

June 16, 2026
Date Issued

Kyle Anderson
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.