



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-032406-26

In the matter of: 2, 283 10TH ST E
OWEN SOUND ON N4K1S4

Between: Presta Holdings Corp Landlord

And

Victoria Swailes Former Tenants
Daniel Nanninga

Presta Holdings Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Victoria Swailes and Daniel Nanninga (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 17, 2026.

Only the Landlord's Representative, Jonathan Harris attended the hearing.

As of 1:58 p.m., the Tenants were 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. The Tenants vacated the rental unit on March 31, 2026. The Landlord filed an L1 application with the Board on April 13, 2026. As the Tenants had already vacated the rental unit, the Landlord ought to have filed an L10 application.
2. The legislation, however, provides the Board with jurisdiction to award rent arrears against tenants no longer in possession at the time the application is filed. Section 87(1)(b) states:

A Landlord may apply to the Board for an order requiring a tenant or former tenant to pay arrears of rent if,

(b) in the case of a tenant or former tenant no longer in possession of the rental unit, the tenant or former tenant ceased to be in possession on or after the day subsection 18 (1) of Schedule 4 to the *Protecting Tenants and Strengthening Community Housing Act, 2020* comes into force.

3. While there are some procedural differences with respect to service, the substantive claims under an L1 and L10 application are identical in this case. The Board's records indicate the Tenants were served the application and Notice of Hearing on May 15, 2026. Additionally, the Landlord presented evidence establishes they provided the Tenants a copy of the Notice of hearing and application on April 11, 2026, and April 14, 2026. Accordingly, I find it would be fair in the circumstances to treat the Landlord's L1 application as an L10 application.
4. The Landlord's application is for arrears totalling \$4,790.00 for the rental period December 1, 2025 to March 31, 2026.
5. The Tenants have made no payments since the application was filed
6. I am satisfied the Tenants owe \$4,790.00 in rent to March 31, 2026.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,550.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$55.34 is owing to the Tenants for the period from September 27, 2024, to March 31, 2026.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of March 31, 2026, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$3,370.66. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before July 5, 2026, the Tenants will start to owe interest. This will be simple interest calculated from July 6, 2026, at 4.00% annually on the balance outstanding.

June 24, 2026
Date Issued

Sheena Brar
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$4,790.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,550.00
Less the amount of the interest on the last month's rent deposit	- \$55.34
Total amount owing to the Landlord	\$3,370.66