



Order under Section 79 Residential Tenancies Act, 2006

Citation: Dannzac Investments v Kuipers, 2026 ONLTB 49473

Date: 2026-06-30

File Number: LTB-L-030883-26

In the matter of: 34, 67 VALLEYVIEW RD
KITCHENER ON N2E3J1

Between: Dannzac Investments Landlord

And

Tori Kuipers Tenant

Dannzac Investments (the 'Landlord') applied for an order to terminate the tenancy and evict Tori Kuipers (the 'Tenant') because the Landlord believes that the Tenant abandoned the unit.

This application was heard by videoconference on June 17, 2026. The Landlord's Agent, Ron Hipwell, and Representative, Jing He, attended the hearing.

As of 9:30 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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the tenancy terminated on December 31, 2025, the date the Tenant vacated the rental unit.
2. The Board's Interpretation Guideline 4 - Abandonment of a Rental Unit explains the concept of abandonment as follows:

"Abandonment is a unilateral act by the tenant to relinquish their tenancy and give up possession of the rental unit without properly giving notice of the termination to the landlord. If the landlord is not sure whether or not a rental unit has been abandoned, they may file an application for determination of this issue with the Board; however, it should be noted the Board has no jurisdiction to issue an order for rent or compensation if a tenant is no longer in possession of the rental unit (see section 87). In this case, the landlord may seek a remedy by applying to Court."

3. The Landlord's Agent ('Agent') testified that he is the superintendent of the rental unit. He explained that he has inspected the rental unit on four occasions in 2026. On February 4, 2026, he discovered evidence of the rental unit having been abandoned. There was a sink full of dirty water, rotting food on the countertop and in the fridge. He opened the windows to reduce the odour which had been permeating. Neighbours of the Tenant called police requesting a welfare check. When police attended in early March, they discovered no signs of habitation.
4. The Agent reattended on March 20, 2026, and there was no change to any items in the rental unit since his prior attendance. He reattended again on May 18, 2026. He found the windows open, as he had left them on March 20, 2026. On June 10, 2026, he reattended and observed no changes to anything except the water in the sink had evaporated.
5. The tenancy was a fixed term beginning on November 1, 2025. He has attempted to e-mail and telephone the Tenant several times. The Tenant has not responded.
6. Section 2(3) of the Residential Tenancies Act ('the Act') states that a unit may not be found to be abandoned unless the Tenant is in arrears of rent. The Landlord's evidence is that rent has not been paid since December 2025. Therefore, I find that the Tenant is in arrears of rent.
7. Based on the Landlord's uncontested evidence and testimony, I am satisfied that the Landlord has proven, on a balance of probabilities, that the Tenant has abandoned the rental unit. The Landlord believes the last time the rental unit was occupied was about December 31, 2025. As such, I find that the tenancy terminated on December 31, 2025.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of December 31, 2025.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount the Tenant must pay the Landlord is \$186.00.
4. If the Tenant does not pay the Landlord the full amount owing on or before July 11, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 12, 2026 at 4.00% annually on the balance outstanding.

June 30, 2026

Date Issued

Jane Dean

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.