



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

Citation: Roth v Caldwell, 2023 ONLTB 32046

Date: 2023-04-19

File Number: LTB-L-071535-22

In the matter of: Upper, 529 Ontario Street Stratford
ON N5A3J4

Between:

Diana Roth Landlord

And

Diana Roth (the Chris (Gordon) Caldwell Tenant
'Landlord') applied for an order to terminate the tenancy and evict Chris (Gordon) Caldwell (the
'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully caused undue damage to the premises.

Diana Roth (the 'Landlord') also applied for an order requiring Chris (Gordon) Caldwell (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 heard by videoconference on April 12, 2023.

As of 9:31 am, the Landlord and Tenant 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.

Determinations:

1. Since the Landlord did not appear at 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.

File Number: LTB-L-071535-22

April 19, 2023

Date Issued

Trish Carson

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.

