



Order under Section 100 Residential Tenancies Act, 2006

Citation: Wheeler for the Estate of Walter Wheeler v Lazore, 2026 ONLTB 973

Date: 2026-01-09

File Number: LTB-L-024899-25

In the matter of: 5163 HWY 138
ST ANDREWS WEST ON K0C2A0

Between: Andrea Wheeler for the Estate of Walter Wheeler Landlords
Morgan Wheeler for the Estate of Walter Wheeler

And

Aadeeyah Lazore Tenant

And

Georgina Lazore Unauthorized Occupants
Roger Lazore

Andrea Wheeler for the Estate of Walter Wheeler and Morgan Wheeler for the Estate of Walter Wheeler (the 'Landlords') applied for an order to terminate the tenancy of Aadeeyah Lazore (the 'Tenant') and evict Georgina Lazore and Roger Lazore (the 'Unauthorized Occupants') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupants without the Landlords' consent.

This application was heard by videoconference on September 22, 2025. The Landlords, and the Unauthorized Occupants attended the hearing. The hearing docket indicates that the Tenant did sign in with the moderator, however, she left prior to the hearing commencing due to a medical emergency.

Determinations:

1. For the reasons that follow, I find, on a balance of probabilities, that the Tenant did not transfer the occupancy of the rental unit to the Unauthorized Occupants in a manner that was not authorized by the *Residential Tenancies Act, 2006* (the 'Act').
2. It was not disputed that the Tenant was the only named tenant on the lease agreement. It was also not disputed that the Landlords were aware that the Tenant's parents, Georgina Lazore ('GL') and Roger Lazore ('RL') lived with the Tenant.

3. It was also not disputed that there was a violent altercation between the Tenant and RL, which resulted in criminal charges against the Tenant. In addition, there were bail conditions put on the Tenant which prevented her from being in close proximity to RL.
4. It was not disputed that the Tenant lived elsewhere after the incident occurred, which was in or around early 2025. It was the Landlords' evidence that the Tenant advised them that she no longer wished to live in the rental unit with her parents. However, the Tenant did not give the Landlords written notice, such as an N9 form, to end her tenancy.
5. It was the Landlords' evidence that, after learning that the Tenant no longer wished to live with her parents in the rental unit, there were communications between the Landlords and GL and RL, which led to an agreement that GL and RL would vacate. However, they rescinded their agreement and did not vacate.
6. It was GL's evidence that she is the surety for the Tenant and that the Tenant has resumed residing in the rental unit since September 18, 2025 and that, to comply with the bail conditions placed on the Tenant, RL is now living elsewhere.

Analysis

7. On an application to the Board, the person who alleges a particular event occurred has the burden of proof to establish that it is more likely than not that their version of events is true. In this application, the burden falls on the Landlords to establish that the Tenant has transferred occupancy of the rental unit to a person in a manner not authorized under the *Residential Tenancies Act, 2006* (the 'Act').
8. There was insufficient evidence to conclude that the Tenant transferred her occupancy rights to GL and RL. Rather, the evidence suggests that the Tenant and her family went through a traumatic event and that the Tenant left for a period because of it. The fact that she did not live in the rental unit for several months does not mean that she transferred her occupancy to GL and RL.
9. The Landlords relied heavily on the fact that, in addition to the Tenant residing elsewhere for several months, the Tenant stopped paying the rent. I do not find that this establishes transfer of occupancy given the familial relationship with her occupants and the fact that she was required by her bail conditions not to be in close proximity to RL. In addition, GL testified that the Tenant is living in the rental unit with her, she is her surety and that RL is now living elsewhere. There was nothing to suggest that her testimony was not genuine and so I accept her evidence that the Tenant had resumed living in the rental unit.
10. For the foregoing reasons, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

January 9, 2026
Date Issued

Rachel Gibbons
Member, Landlord and Tenant Board

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