



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-072767-24

In the matter of: 419, 545 THE WEST MALL
ETOBICOKE ON M9C 1G6

Between: Olga Paulina Ruiz Bringas Tenant

and

West Mall Holdings (1969) Landlord

Olga Paulina Ruiz Bringas (the 'Tenant') applied for an order determining that Greenwin Corp. (the 'Landlord'):

This application was heard by videoconference on November 24, 2025.

The Tenant and the Landlord's representative, Sean Beard, attended the hearing.

Determinations:

Preliminary Issues

1. The Landlord's representative raised two preliminary issues. First, he sought clarification as to why the Tenant named only herself on the application and did not include the second Tenant, Olga Altamirano Bringas. Second, he requested that the Landlord's name be amended to West Mall Holdings (1969).
2. The lease identifies the Tenant as Paulina Ruiz Bringas. The application; however, names the Tenant as Olga Paulina Ruiz Bringas. During the hearing, the Tenant confirmed that her legal name is Olga Paulina Ruiz Bringas and that she wishes to proceed with the application without the second Tenant. The Tenant is entitled to proceed in this manner.
3. The Landlord's representative submitted a copy of the full lease during the hearing, which identifies the Landlord as West Mall Holdings (1969). Accordingly, the application is amended to reflect the correct legal name of the Landlord. The Tenant did not object to this amendment.

T2 Application

4. The Tenant bears the onus of proving her allegations on a balance of probabilities. For the reasons that follow, I find that the Tenant has not met this burden. Accordingly, the application is dismissed.
5. The Tenant filed this T2 application pursuant to s. 29 of the *Residential Tenancies Act, 2006* ('Act'), alleging that the Landlord substantially interfered with her reasonable enjoyment of the rental unit, contrary to s. 22 of the Act, by towing their vehicle from the residential complex.
6. The Tenant alleges that on September 4, 2024, the Landlord caused a black 2008 Mercedes Benz E350, with plate number CYHA822 ('Mercedes Benz'), to be towed from parking spot 363, located in the underground parking garage at the residential complex. The Tenant submits that this conduct substantially interfered with her reasonable enjoyment.
7. The Tenant further asserts that as a result of the Landlord's actions, she incurred out of pocket expenses, including towing and storage fees totaling \$401.15, as well as two parking tickets $\$75 \times 2 = \150.00 , which is a combined total of \$551.15. The tickets and towing receipt were submitted as evidence.

Whether the rental unit had a registered parking space?

8. During the hearing, the Tenant testified that she did not recall whether parking space 363 was registered or assigned to her unit by the Landlord. She indicated that she has been parking in spot 363 since the beginning of her lease.
9. I asked the Tenant to direct me to her evidence that would confirm that parking space 363 was assigned to her unit. The Tenant did not challenge the Landlord's requirement to have vehicles registered, she relied on a notice from the Landlord dated April 11, 2023, regarding a sprinkler system inspection, which is addressed to the rental unit and references parking space 363. A copy of the notice was submitted into evidence.
10. When I asked whether the lease identified parking space 363 as a designated parking space assigned to her unit, the Tenant confirmed that it did not. The lease also does not grant an exclusive right to a specific parking space, nor does it exempt vehicles from the requirement to comply with the Landlord's parking rules.
11. During cross examination, when the Tenant was asked whose vehicle had been ticketed and subsequently towed, she testified that the Mercedes Benz belonged to her husband.
12. The Landlord called Walker Simpson, the superintendent for the residential complex as a witness. The superintendent testified that he had direct knowledge of the events that occurred between September 3 and September 4, 2024.
13. Mr. Simpson testified that the residential complex maintains a parking registration system. Vehicles are required to be registered to a specific unit and parking space. Parking enforcement attends the complex, checks the license plates, and tickets vehicles that are

not registered. Once a vehicle is properly registered, it receives a sticker, which alerts parking enforcement that the vehicle is authorized to park in the garage.

14. Mr. Simpson further testified that on September 3, 2024, the Mercedes Benz E3550 was in space 363 and was ticketed because it was not registered. On that date, neither the Tenant nor any other individual contacted management office to inquire about or dispute the ticket.
15. Mr. Simpson also indicated that on September 4, 2024, the same vehicle was parked in a different space, parking spot 262, and was again ticketed. He stated that the previous ticket issued on September 3, 2024, was not on the vehicle's windshield. Later that day, parking enforcement towed the Mercedes Benz.
16. Mr. Simpson, states that he was confronted by a male individual on or about September 5, 2024, who claimed that the vehicle belonged to him.
17. Based on the evidence before me, I find that the requirement to register vehicles was an established parking rule at the residential complex. The Mercedes Benz that belongs to the Tenant's husband was ticketed and towed because it was not registered and parked in an unauthorized space.
18. On a balance of probabilities, I find that the Landlord's conduct was reasonable and consistent with its parking rules and did not amount to substantial interference with the Tenant's reasonable enjoyment pursuant to s. 22 of the Act.

It is ordered that:

1. The Tenant's application is dismissed.

January 8, 2026
Date Issued

Adeela Alvez
Member, Landlord and Tenant Board

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