



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-047253-25

In the matter of: 134 Hellen Street
Seely's Bay Ontario K0H2N0

Between: Melissa Sherboneau Tenant

And

Christopher Mallen Landlord

Melissa Sherboneau (the 'Tenant') applied for an order determining that Christopher Mallen (the 'Landlord'):

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.

This application was heard by videoconference on December 22, 2025. Only the Tenant attended the hearing.

Determinations:

1. For the reasons that follow, the Tenant's application is dismissed.
2. Section 5(i) of the *Residential Tenancies Act, 2006* (the 'Act') states that the Act does not apply with respect to,
 - (i) living accommodation whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner's spouse, child or parent or the spouse's child or parent, and where the owner, spouse, child or parent lives in the building in which the living accommodation is located;
3. The Tenant testified that the rental unit was a room in the Landlord's home and that she shared a kitchen and bathroom with the Landlord. Given this, the Act does not apply to this living accommodation.

It is ordered that:

1. The Tenant's application is dismissed.

January 6, 2026

Date Issued

Dawn Sullivan

Vice Chair, 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.