



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-053484-25

In the matter of: 78 SINDEN RD
BRANTFORD ON N3T0P5

Between: Duyen Thi Kim Nguyen Tenant

And

Qiang Hu Landlord

Duyen Thi Kim Nguyen (the 'Tenant') applied for an order determining that Qiang Hu (the 'Landlord') entered the rental unit illegally.

The Tenant also applied for an order determining that the Landlord collected or retained money illegally.

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

As of **10:13am**, 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.

Determinations:

1. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.
2. Additionally, at the hearing the Landlord indicated that the Landlord and Tenant shared a kitchen and a bathroom. The residential complex is a single detached house, and the Tenant rented a room in the house and shared the common area facilities with the Landlord.
3. Subsection 5(i) of the *Residential Tenancies Act, 2006* (the 'Act') states that 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 is a tenancy that is exempt from the Act.
4. On this basis, even if the Tenant had attended the hearing, the Board would lack the jurisdiction to consider their application because the tenancy is exempt under the Act and must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

January 6, 2026

Date Issued

Terri van Huisstede

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.