



**Order under Section 87 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-034275-25

In the matter of: 863 Lawnsberry Drive
Orleans ON K1E1X8

Between: Conrad Monette Landlord
Brenda Dagg Monette

And

Jacqueline Gabrielle Bellefeuille Former Tenant

Conrad Monette and Brenda Dagg Monette (the 'Landlord') applied for an order requiring Jacqueline Gabrielle Bellefeuille (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Conrad Monette and Brenda Dagg Monette (the 'Landlord') applied for an order requiring Jacqueline Gabrielle Bellefeuille (the 'Former Tenant') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

This application was heard by videoconference on December 8, 2025.

Both Landlords attended the hearing.

The Tenant's legal representative Hugh O'Toole and the Former Tenant attended the hearing.

Determinations:

1. As explained below, as the Residential Tenancies Act, 2006, S.O. 20026, c. 17 ("RTA" or "Act") does not apply to the residential unit, the application is dismissed.

L10 application

2. The Landlord filed an L10 application on April 26, 2025 with allegations the Former Tenant owed rent arrears in the amount of \$1,525.00 from December 1, 2024 to January 31, 2025; and allegations the Former Tenant willfully or negligently caused undue damage to the rental unit in the amount of \$535.25.
3. The rental unit is a single-family townhouse.
4. The Tenant's legal representative stated that the Former Tenant occupied the rental unit with the Landlord's child as a common law partner and sharing facilities like the kitchen and bathroom with the Landlord's child.
5. The Tenant's legal representative stated the Tenant's position is the Act does not apply under section 5(i) of the *Residential Tenancies Act*, 2006 (the "Act").
6. The Landlord stated that her daughter had been living in the rental unit since April 1, 2014.
7. The Landlord stated that the Former Tenant had taken possession of the rental and signed a tenancy agreement with the Landlord to occupy the rental unit commencing October 1, 2019 for a month to month term. At the time the Former Tenant took possession the Landlord's daughter was occupying the rental unit.
8. The Landlord submitted the tenancy agreement as evidence to support her claim.

The Act and Analysis

9. Section 5(i) of the Act states:

This 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;

10. There is no dispute the Landlord's daughter, and the Former Tenant shared facilities such as the kitchen and bathroom under the tenancy agreement.
11. I did not consider the submissions that the Former Tenant and the Landlord's daughter were common law as the point is moot with respect to the exemption under section 5(i) of the Act.
12. With the totality of the evidence and submissions before me and on a balance of probabilities I find the Act does not apply.
13. As the rental unit is exempt, the Landlord's L10 application must be dismissed.

14. Although this order does not specifically address each piece of evidence individually or reference all the testimony, I have considered all of the evidence presented at the hearing and all of the oral testimony when making my determinations.
15. This order contains all reasons for the determinations and order made. No further reasons will be issued.

It is ordered that:

1. As the Residential Tenancies Act, 2006 does not apply, the application is dismissed.

January 7, 2026
Date Issued

Greg Brocanier
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.