



Order under Section 100 101 Residential Tenancies Act, 2006

File Number: LTB-L-056715-25

In the matter of: 402, 44 Thorncliffe Park Drive
TORONTO Ontario M4H 1K2

Between: Monaco Holdings Limited Landlord

And

Nadeem Dawood Tenant
Mohmed Salim Ahmed Saleh

And

Unknown Occupant(s) Unauthorized Occupant

Monaco Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy of Nadeem Dawood and Mohmed Salim Ahmed Saleh (the 'Tenant') and evict Unknown Occupant(s) (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlord consent. The Landlord also applied for compensation by the Unauthorized Occupant for the use of the rental unit.

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

Only the Landlord's representative, Mark Ciobotaru, attended the hearing.

As of of was 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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord's application alleges the Tenant transferred occupancy of the rental unit to one or more persons without the Landlord's consent.
2. The Landlord's building superintendent, Jennifer Vasquez, testified at the hearing. JV testified that she has direct, day-to-day knowledge of the residential complex and is responsible for monitoring occupancy and conducting unit inspections. She testified that on May 6, 2025, she observed a person moving out of the rental unit who was not the Tenant. Shortly thereafter, she conducted a unit inspection and found the unit vacant.
3. JV further testified that over the following months she observed multiple different individuals and families residing in the rental unit at different times. She testified that none

of those individuals were the Tenant and that she never observed the Tenant residing in the rental unit at any time. She also provided detailed testimony explaining video evidence filed by the Landlord, which showed individuals moving personal belongings into and out of the rental unit. (DOC-697791 DOC-689779)

4. Rogelio Aurea, the Landlord's agent, testified regarding the Landlord's efforts to contact the Tenant after it became apparent that the Tenant was no longer in possession of the rental unit. He testified that the Tenant did not dispute that they were not residing in the unit and later advised that they intended to vacate at a future date.
5. Rogelio Aurea, the Landlord's agent, testified regarding the Landlord's efforts to contact the Tenant after it became apparent that the Tenant was no longer in possession of the rental unit. He testified that the Tenant did not dispute that they were not residing in the unit and later advised that they intended to vacate at a future date.
6. RA also testified that an occupant of the rental unit provided a written statement confirming that rent was paid to the Tenant and that the occupant was not the leaseholder. This evidence is consistent with JV's testimony and further supports the finding that the Tenant transferred occupancy of the rental unit.
7. Based on the credible and consistent evidence of the Landlord's witnesses, I find on a balance of probabilities that the Tenant vacated the rental unit and transferred occupancy to one or more unauthorized occupants without the consent of the Landlord, contrary to section 100 of the *Residential Tenancies Act, 2006* (the 'Act') Accordingly, the tenancy is terminated. Any authorized occupants of the rental unit must move out on or before February 1, 2026.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The Tenant required to pay this amount.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated.
2. The Unauthorized Occupant shall move out of the rental unit on or before February 1, 2026.
3. If the unit is not vacated by February 1, 2026, then starting February 2, 2026, the Landlord may file this order with the Court Enforcement Office (the Sheriff), so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord after February 2, 2026.
5. The Tenant shall pay the Landlord \$201.00 for the cost of filing the application.

6. If the Tenant not pay the Landlord the full amount owing by February 1, 2026 they will owe interest. This will be simple interest calculated from February 2, 2026, at 4.00% on the outstanding balance.

January 21, 2026
Date Issued

Bryan Delorenzi
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 2, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.