



Order under Section 100 Residential Tenancies Act, 2006

Citation: Iana Developments Ltd v Jerez Medina, 2026 ONLTB 9947

Date: 2026-01-29

File Number: LTB-L-085738-25

In the matter of: 213, 24 Seeley Drive
Toronto Ontario M3M2V6

Between: Iana Developments Ltd Landlord

And

Juan Daniel Jerez Medina Tenant

And

Unknown Occupant(s) Unauthorized Occupants
Rolly Pamploma
Odaliz Guerra Sautillan

Iana Developments Ltd (the 'Landlord') applied for an order to terminate the tenancy of Juan Daniel Jerez Medina (the 'Tenant') and evict Odaliz Guerra Sautillan, Rolly Pamploma and Unknown Occupant(s), (the 'Unauthorized Occupants') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupants without the Landlord's 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 January 27, 2026.

Only the Landlord's agent Ovidiu Gal and Landlord's representative Eric Steiman attended the hearing.

As of 10:05 a.m. neither the Tenant nor the Unauthorized Occupants 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 Tenant transferred the occupancy of the rental unit to the Unauthorized Occupant in a manner that was not authorized by the *Residential Tenancies Act, 2006* (the 'Act'). The Landlord did not enter into a tenancy agreement with this person. On August 18, 2026, the cite manager Ovidiu Gal, who is familiar with the tenants in the building, discovered the Tenant had vacated and left unauthorized occupants in possession of the rental unit. The

unauthorized occupants claimed they spoke no English and would not say anything to the Landlord. The Tenant was not seen at the rental unit and his car was not seen in the parking lot by the site manager throughout August, 2025 and to October 1, 2025, when it was concluded that the Tenant had transferred occupancy of the rental unit.

2. The Unauthorized Occupants were in possession of the rental unit on the date the application was filed.
3. The application was filed on October 8, 2025, which is within 60 days after the Landlord discovered the unauthorized occupancy on August 18, 2026.

Daily Compensation

4. The Landlord is entitled to compensation for the use and occupation of the rental unit by the Unauthorized Occupants.
5. Since the Landlord became aware of the Unauthorized Occupant, the Tenant and/or the Unauthorized Occupants paid the Landlord compensation for use of the rental unit to January 31, 2026.
6. Therefore, the Unauthorized Occupants owe the Landlord daily compensation for use and occupation of the rental unit for the period from February 1, 2026 to the date the Unauthorized Occupants vacate the rental unit.
7. Based on the Monthly rent, the daily compensation is \$57.00. This amount is calculated as follows: $\$1733.77 \times 12 \text{ months}$, divided by 365 days.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs by the Tenant.

Section 83 Considerations

9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. Neither the Tenant nor the Unauthorized Occupants attended the hearing to give evidence of their circumstances.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated.
2. The Unauthorized Occupants shall move out of the rental unit on or before February 9, 2026.
3. If the unit is not vacated by February 9, 2026, then starting February 10, 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 10, 2026.
5. The Unauthorized Occupants shall also pay to the Landlord \$57.00 per day for compensation for the use of the unit from February 1, 2026 to the date they move out of the unit.
6. The Tenant shall also pay the Landlord \$201.00 for the cost of filing the application.
7. The Tenant and the Unauthorized Occupants shall pay the full amounts they each owe to the Landlord from paragraph 5 and 6 on or before February 9, 2026.
8. If the Unauthorized Occupants and Tenant do not pay the Landlord the full amounts they each owe by February 9, 2026 they will owe interest. This will be simple interest calculated from February 10, 2026 at 4.00% on the outstanding balance.

January 29, 2026
Date Issued

Julie Broderick
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 10, 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.