



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-082378-25

In the matter of: 705 COUNTY RD 42
ATHENS ON K0E1B0

Between: Mai Martini Landlord

And

Lindsey Laporte Tenant

Mai Martini (the 'Landlord') applied for an order to terminate the tenancy and evict Lindsey Laporte (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was heard by videoconference on January 27, 2026.

The Landlord and the Tenant and Tenant's representative, John Wernham, attended the hearing.

Determinations:

1. At the hearing, the Landlord and the Tenant submitted that the Landlord's son lives with the Tenant and shares a kitchen and bathroom with the Tenant.
2. Not all living accommodations are governed by the *Residential Tenancies Act, 2006* (the 'Act'). Section 5 specifically identifies certain living accommodations that are exempt from the Act. Section 5. i) provides the following exemption:
 5. 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.
3. Is the Tenant required to share a kitchen or bathroom facility with the owner's child of the living accommodation? I conclude that the answer is yes.

4. Accordingly, I find that the Act does not apply to the unit and the Landlord's application shall be dismissed.

It is ordered that:

1. The application is dismissed.

February 5, 2026
Date Issued

Vinuri Sivalingam
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.