



Order under Section 100 Residential Tenancies Act, 2006

File Number: LTB-L-038257-25

In the matter of: 503, 65 Thorncliffe Park Drive
East York ON M4H1L2

Between: 1000831699 Ontario Inc Landlord

And

Moosa Patel Tenant

And

Unknown Unknown Unauthorized Occupant

1000831699 Ontario Inc (the 'Landlord') applied for an order to terminate the tenancy of Moosa Patel (the 'Tenant') and evict (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant 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 December 4, 2025.

Only the Landlord's agent, Jennifer Ireland, and the Landlord's legal representative, Victoria Zarif, attended the hearing.

As of 9:30am, neither the Tenant nor the Unauthorized Occupant were 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.
2. The Landlord discovered that the Tenant had transferred occupancy on or about April 17, 2025.
3. The Unauthorized Occupant was in possession of the rental unit on the date the application was filed and they remained in possession of the unit as of the hearing date.

4. The application was filed within 60 days after the Landlord discovered the unauthorized occupancy. The application was filed on May 2, 2025.
5. At the hearing the Landlord provided a copy of an N11 agreement to terminate the tenancy, and they submit that the Tenant entered into an agreement to terminate the tenancy for January 31, 2026 and that they would be removing the unauthorized occupant as of that date.
6. On this basis, the Landlord withdrew their claim for compensation for the use and occupation of the rental unit by the Unauthorized Occupant and they further agreed to waive the filing fee in consideration of their mutual agreement with the Tenant.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act, and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

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 5, 2026.
3. If the unit is not vacated by February 5, 2026, then starting February 6, 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 6, 2026.

February 5, 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 17, 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.