



Order under Section 100 Residential Tenancies Act, 2006

Citation: Zhang v Twaseen, 2026 ONLTB 12146

Date: 2026-02-10

File Number: LTB-L-058063-25

In the matter of: 1119, 188 DORIS AVE
NORTH YORK ON M2N6Z5

Between: Qiang Zhang Landlord

And

Khandaker Zunayed Twaseen Tenant

And

S M Nacid Iqbal
Unauthorized Occupant

Qiang Zhang (the 'Landlord') applied for an order to terminate the tenancy of Khandaker Zunayed Twaseen (the 'Tenant') and evict S M Nacid Iqbal (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 February 3, 2026. The Landlord, the Landlord's Translator Xiao Yun Ma, and the Landlord's Legal Representative, Jian Hong Guan, the Tenant's Legal Representative, Vidy Matadeen, and the Tenant attended the hearing.

Determinations:

1. The application is dismissed because it is out of time.

The application is out of time

2. On July 7, 2025, the Landlord filed an A2 Application about a Sublet or an Assignment (A2) with the Board. In the A2, the Landlord checked off Part 3, Reason 1, claiming that "the tenant transferred the tenancy to another person without my consent. This person is an unauthorized occupant". The Landlord requested that the Board issue an order ending the tenancy and evicting the unauthorized occupant.
3. In the application, the Landlord indicated that she first became aware that there was unauthorized occupant in the rental unit on June 30, 2025. At the hearing, the Landlord

submitted an affidavit/declaration that states that on November 24, 2024, it came to her attention that there was an unauthorized occupant residing in the rental unit. At the hearing, upon questioning from the Board, the Landlord's Legal Representative confirmed in his submissions that this was in fact the case that the Landlord first discovered that the unauthorized occupant was living in the rental unit on November 24, 2024.

4. The Landlord's application is grounded in section 100(1) of the Residential Tenancies Act, 2006 (the "Act"), which states:

If a tenant transfers the occupancy of a rental unit to a person in a manner other than by assignment authorized under section 95 or a subletting authorized under section 97, the landlord may apply to the Board for an order terminating the tenancy and evicting the tenant and the person to whom occupancy of the rental unit was transferred.

5. Section 100(2) of the Act states that an application under subsection (1) must be made no later than 60 days after the landlord discovers the unauthorized occupancy.
6. In the present case, I find that the Landlord filed the application more than 60 days after she discovered that the unauthorized occupant was living in the rental unit. Therefore, the application is out of time.
7. The language in section 100(2) is clear that the 60-day limitation period runs from the date the Landlord became aware of the unauthorized occupant. I do not have discretion to alter the limitation period in section 100(2) or to tailor to any of the Landlord's circumstances or concerns. Accordingly, the application is barred by section 100(2). The order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Landlord's A2 application is dismissed.

February 10, 2026

Date Issued

Panagiotis P. Roupas

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.