



Order under Section 69 Residential Tenancies Act, 2006

Citation: TWELVE ELGIN HOUSING CORPORATION C/O LUXOR MANAGEMENT INC. v
OUIMETTE, 2026 ONLTB 14639

Date: 2026-02-13

File Number: LTB-L-101209-25

In the matter of: 12 ELGIN ST
SUDBURY ON P3C5B5

Between: TWELVE ELGIN HOUSING CORPORATION Landlord
C/O LUXOR MANAGEMENT INC.

And

DANIEL JOSEPH OUIMETTE Tenant

TWELVE ELGIN HOUSING CORPORATION C/O LUXOR MANAGEMENT INC. (the 'Landlord') applied for an order to terminate the tenancy and evict DANIEL JOSEPH OUIMETTE (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 10, 2026.

Only the Landlord's legal representative Danielle Serre attended the hearing.

The Tenant was not 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.

Preliminary Issue:

1. The Board raised a preliminary issue regarding the filing of the L1 Application. In particular, it appeared on its face that the application had been filed by a third-party property management company on behalf of the Landlord.
2. The Landlord's legal representative confirmed that the L1 Application was filed by John Hastie, an employee of the Landlord's third-party property management company Luxor Management Inc. Ms. Serre confirmed that Luxor Management Inc. manages the Landlord's properties as well as other properties for different clients.

3. Section 185 of the *Residential Tenancies Act* (the Act) states:

185 (1) An application shall be filed with the Board in the form approved by the Board, shall be accompanied by the prescribed information and shall be signed by the applicant.

(2) An applicant may give written authorization to sign an application to a person representing the applicant under the authority of the *Law Society Act* and, if the applicant does so, the Board may require such representative to file a copy of the authorization.

4. In *Rivera v. Eleveld*, 2022 ONSC 446 (CanLii), the Divisional Court found at paragraph 7:

“...The [RTA](#) does not define “agent” and uses the term “agent” in many of its provisions that support a broad interpretation of that term. Elsewhere in the RTA, the legislation refers specifically to persons acting under the authority of the *Law Society Act*. [Section 185](#) of the RTA, which applies to applications filed at the LTB, does so. When a landlord applies for relief to the LTB, the landlord must sign the application or authorize someone licensed under the *Law Society Act* to do so. The use of an “agent” is not permitted...”

5. In the Board’s Interpretation Guideline 21 it states:

“However, in accordance with section 185 of the RTA, an application to the LTB must be signed by the party filing the application or a person licensed by the Law Society of Ontario (LSO) to provide legal services. Where the Landlord is a corporation, an employee or any other person with authority to bind the corporation may sign a notice of termination or file an application to the LTB on behalf of the corporate landlord.”

6. Based on the Landlord’s submissions, I am not satisfied that the application was properly filed. An employee of a third-party property management company cannot file an application on behalf of the Landlord. There was no evidence (and the Landlord did not attempt to argue) that Mr. Hastie is an employee of the Landlord, is a licensee of the Law Society of Ontario, or otherwise authorized to bind the corporate Landlord.

It is ordered that:

1. The L1 application is dismissed.

February 13, 2026
Date Issued

Brett Lockwood
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.