



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-051353-25

In the matter of: 2 MONTEITH ST
TORONTO ON M4Y1K7

Between: Ashlyn Skeete Tenant

And

David Afnani Landlord

Ashlyn Skeete (the 'Tenant') applied for an order determining that David Afnani (the 'Landlord') collected or retained money illegally.

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

Only the Tenant attended the hearing.

As of 9:50am, the Landlord 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 Tenant's evidence.

The Landlord's legal representative signed in at 9:59am. At this time the hearing had already been called and the Landlord's legal representative informed of the Tenant's application being dismissed.

Determinations:

1. For the following reasons the Tenant's application is dismissed.
2. Board records indicate the Tenant (from this point identified as the "Applicant") filed a T1 application with the Board on June 23, 2025. The application alleges the Applicant paid an illegal charge to the Landlord by paying rent on the rental unit and states:

Although I am not named on the lease and am not claiming tenancy my personal belongings including televisions bedding desks lamps a coffee machine and a mini fridge remain in the property without my consent.

[emphasis added]

3. At the hearing the applicant stated that she was paying for the rental unit although she was not a named tenant on the tenancy agreement. The applicant stated she did not receive keys for the rental unit, had no access to the rental unit and had never occupied the rental unit.
4. The Act defines a “tenant” as:

“tenant” includes a person who pays rent in return for the right to occupy a rental unit and includes the tenant’s heirs, assigns and personal representatives, but “tenant” does not include a person who has the right to occupy a rental unit by virtue of being,
5. With the totality of the evidence and submissions before me and on a balance of probabilities I find the Applicant is not a tenant and therefore, has no standing before the Board to file an application under the *Residential Tenancies Act*, 2006 (the “Act”).
6. Therefore, the application must be dismissed.
7. Although this order does not specifically address each piece of evidence individually or reference all the testimony, I have considered all of the evidence presented at the hearing and all of the oral testimony when making my determinations.
8. This order contains all reasons for the determinations and order made. No further reasons will be issued.

It is ordered that:

1. The application is dismissed.

February 17, 2026
Date Issued

Greg Brocanier
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.