



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-099148-25

In the matter of: 1101, 75 PAISLEY BLVD W
MISSISSAUGA ON L5B1E6

Between: Equiton Residential Income Fund LP Landlord

And

Robert Bartlewksi Tenant

Equiton Residential Income Fund LP (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Bartlewksi (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 11, 2026.

The Landlord's Agent Laveena Sansal and the Tenant attended the hearing.

Determinations:

The A2 - LTB-L-018621-25

1. The Landlord previously filed an A2 Application with respect to this tenancy. The A2 alleges that the Tenant transferred the occupancy of the rental unit to an unauthorised occupant, which the Landlord became aware of on January 27, 2025. This matter was heard by the Board on August 5, 2025, and the Board issued an order on August 18, 2025, determining that the Tenant had transferred occupancy of the rental unit on or about February 1, 2025.
2. The order terminated the tenancy effective September 18, 2025. The Landlord did not seek daily compensation from the unauthorised occupant in the A2 Application.
3. The Unauthorized occupant sought a review of order LTB-L-018621-25, and the order was stayed pending a review hearing which was conducted on November 19, 2025 and the LTB-L-018621-25-RV was issued on January 5, 2026 upholding the original order and lifting the stay on January 31, 2026.
4. The Landlord filed this Application LTB-L-099148-25 seeking arrears against the Tenant on November 25, 2025. The L1 seeks arrears from September 2025 onwards.

5. I am satisfied that the Landlord's Application should be dismissed.
6. The Tenant must be in possession of the rental unit at the time the L1 Application is filed. At the time this Application was filed on November 25, 2025, LTB-L-018621-25 had confirmed that the Tenant was no longer in possession of the rental unit.
7. Additionally, the Landlord was provided with a mechanism to seek daily compensation against the Unauthorized Occupant when they filed the A2 Application and elected not to do so, preferring instead to seek arrears against a Tenant who was no longer in possession of the rental unit.
8. Therefore, the Landlord's Application shall be dismissed.

It is ordered that:

1. The Landlord's Application is dismissed.

March 5, 2026
Date Issued

Reid Jackson
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.

