



Order under Section 135 and 30 Residential Tenancies Act, 2006

File Number: LTB-T-068212-25

In the matter of: 312, 35 Christopher St
St.Catherines ON L2P3X9

Between: Kaila Weeks Tenant

And

Niagara Peninsula Homes Landlord
Watermark Co-Op

Kaila Weeks (the 'Tenant') applied for an order determining that Niagara Peninsula Homes and Watermark Co-Op (the 'Landlord'):

- retained or collected money illegally (T1 application); and
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards (T2 application).

This application was heard by videoconference on March 3, 2026.

Only the Landlord's Legal Representative, Judith Callender, attended the hearing.

As of 9:44 a.m., 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.

Determinations:

1. The Landlord is a co-operative Landlord. Under section 5(c) of the Act, living accommodations that is a member unit of a non-profit housing co-operative, except under certain limited circumstances, is exempt from the Act. This means that the Tenant had no jurisdiction to file an application with the Board. There is no existing Tenant/Landlord relationship under the Act and therefore the Act does not apply.
2. The Tenant did not attend the hearing to support their application, therefore I find that this application has been abandoned.
3. For these reasons, the application shall be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

March 10, 2026

Date Issued

Paula West Oreskovich

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.