



**Order under Section 100 101
Residential Tenancies Act, 2006**

File Number: LTB-L-070469-25

In the matter of: 1410, 2 SILVER MAPLE CRT
BRAMPTON ON L6T4R1

Between: Drake Property Management Landlord

And

Elpedia Arthur Tenant

And

Angela Ogbeide Garreck Unauthorized Occupant

Drake Property Management (the 'Landlord') applied for an order to terminate the tenancy of Elpedia Arthur (the 'Tenant') and evict Angela Ogbeide Garreck (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 March 3, 2026.

Only the Landlord's representative, Mark Ciobotaru, and the Tenant attended the hearing.

As of 10:30 a.m. the Unauthorized Occupant was 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 and Tenant's evidence.

Determinations:

REASON 1: UNAUTHORIZED TRANSFER OF OCCUPANCY

1. The Tenant transferred the occupancy of the rental unit to the Unauthorized Occupant in a manner that was not authorized by the *Residential Tenancies Act, 2006* (the 'Act'). The Landlord did not enter into a tenancy agreement with this person. The parties agreed the Tenant vacated the rental unit on May 31, 2025, and transferred the occupancy over to her then occupant, Angela Ogbeide Garreck, who then became an unauthorized occupant. The Landlord only became aware of the unauthorized occupant as of July 7, 2025.
2. The Unauthorized Occupant was in possession of the rental unit on the date the application was filed.

3. The application was filed within 60 days after the Landlord discovered the unauthorized occupancy.

Daily Compensation

4. The Landlord is entitled to compensation for the use and occupation of the rental unit by the Unauthorized Occupant.
5. The Unauthorized Occupant owes the Landlord \$18,790.30 in daily compensation for use and occupation of the rental unit for the period from July 11, 2025 to the January 31, 2026.
6. Based on the Monthly rent, the daily compensation is \$91.66. This amount is calculated as follows: \$2,788.00 x 12 months, divided by 365 days.
7. Since the Landlord became aware of the Unauthorized Occupant, the Tenant and/or the Unauthorized Occupant paid the Landlord \$0.00 in compensation for use of the rental unit.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The cost of the application should be paid by the unauthorized occupant as the Tenant had made it clear they would be vacating on May 31, 2025 and it was the unauthorized occupant that refused to leave.

It is ordered that:

REASON 1: UNAUTHORIZED TRANSFER OF OCCUPANCY

1. The tenancy between the Landlord and the Tenant is terminated.
2. The Unauthorized Occupant shall pay to the Landlord \$18,790.30 which represents daily compensation for the use of the rental unit from July 11, 2025 to the January 31, 2026.
3. The Unauthorized Occupant shall pay the Landlord \$201.00 for the cost of filing the application.
4. If the Unauthorized Occupant does not pay the Landlord the full amount owing by March 24, 2026 they will owe interest. This will be simple interest calculated from March 25, 2026 at 4.00% on the outstanding balance.

March 13, 2026
Date Issued

Vishal Nanda
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.