



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

File Number: LTB-L-073039-25

In the matter of: 1002, 4 Silver Maple Court
Brampton Ontario L6T4R2

Between: Drake Property Management Landlord

And

Sarah Anne Dickson Tenant

And

Unauthorized Occupant(s)
Unknown Occupant(s) Unauthorized Occupant

Drake Property Management (the 'Landlord') applied for an order to terminate the tenancy of Sarah Anne Dickson (the 'Tenant') and evict Unauthorized Occupant(s) and Unknown Occupant(s) (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 Landlord's agent, Niv Kohli, attended the hearing.

As of 9:35 a.m., neither the Tenant nor 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 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 Landlord testified that on or about June 2025, the Tenant served the Landlord with an N15 notice to vacate, with the termination date of June 17, 2025. A copy of this N15 was submitted into evidence and it states the reason the Tenant had to vacate was because of a domestic situation with their partner.

2. The Landlord then discovered there was an unauthorized occupant living in the rental unit as of June 18, 2025 and speculates this is the partner referenced in the Tenant's N15 notice. On or about September 2025, there was an inspection of the rental unit, and the unauthorized occupant was still there. On or about November 2025, a fire inspection of the rental unit was completed, and the unauthorized occupant was still living in the rental unit. In February 2026, another rental unit inspection was completed by the Landlord's agent, and the unauthorized occupant was still there and there were no signs of the Tenant living there.
3. The Unauthorized Occupant was in possession of the rental unit on the date the application was filed.
4. The application was filed within 60 days after the Landlord discovered the unauthorized occupancy. The unauthorized occupant was discovered on June 18, 2025 after the Tenant vacated the rental unit on her N15 notice. The application was filed with the Board on August 14, 2025, in compliance with the 60 day rule.

Daily Compensation

5. The Landlord is entitled to compensation for the use and occupation of the rental unit by the Unauthorized Occupant.
6. The Unauthorized Occupant owes the Landlord \$15,200.71 in daily compensation for use and occupation of the rental unit for the period from June 18, 2025 to March 3, 2026.
7. Based on the Monthly rent, the daily compensation is \$58.69. This amount is calculated as follows: $\$1785.15 \times 12 \text{ months}$, divided by 365 days.
8. 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.
9. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The application file fee is to be paid by the unauthorized occupant as the Tenant had provided the Landlord with notice to vacate based on an N15 notice. The N15 notice was submitted into evidence by the Landlord and it supports the Landlord's version of events, that the N15 notice had a date of termination of June 17, 2025.
10. Based on the uncontested evidence before me, I am satisfied that the Tenant transferred occupancy to the unauthorized occupant without the consent of the Landlord. The Tenant served the Landlord with the N15 notice, it was clear at this point that the Tenant was not residing in the rental unit alone and had to vacate as a result of this occupant.

Section 83 Considerations

11. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

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 move out of the rental unit on or before March 24, 2026.
3. If the unit is not vacated by March 24, 2026, then starting March 25, 2026, the Landlord may file this order with the Court Enforcement Office (the Sheriff), so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord after March 25, 2026.
5. The Unauthorized Occupant shall pay to the Landlord \$15,200.71 which represents daily compensation for the use of the rental unit from June 18, 2025 to the March 3, 2026.
6. The Unauthorized Occupant shall also pay to the Landlord \$58.69 per day for compensation for the use of the unit from March 4, 2026 to the date they move out of the unit.
7. The Unauthorized Occupant shall also pay the Landlord \$201.00 for the cost of filing the application.
8. The Unauthorized Occupant shall pay the Landlord the full amount owing by March 24, 2026.
9. 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on September 25, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.