



Order under Section 100 101 Residential Tenancies Act, 2006

File Number: LTB-L-076295-25

In the matter of: 1103, 10 Teesdale Place
Scarborough Ontario M1L1K9

Between: Princess Management Acting as Agent for Landlord
Dentonia Place

And

Maleka Nasrin Tenant

And

Unknown Occupant(s) Unauthorized Occupant

Princess Management Acting as Agent for Dentonia Place (the 'Landlord') applied for an order to terminate the tenancy of Maleka Nasrin (the 'Tenant') and evict 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 5, 2026.

Only the Landlord's agent, Jelena Slomka, the Landlord's Legal Representative, David Ciobotaru, attended the hearing.

As of 9:47 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:

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.
2. At the hearing, the Landlord's property manager, Jelena Slomka, gave evidence. She testified that, on August 5, 2025, the Tenant attended the management office to discuss payment plan arrangements and provided current photo identification to update the Landlord's file. Jelena Slomka testified that the Tenant's driver's licence listed a different residential address.

3. Jelena Slomka further testified that, on August 13, 2025, an unknown person attended the management office to request buzzer access for unit 1103. She also testified that, on August 19, 2025, the Landlord served a 24-hour notice of entry for a management inspection of the rental unit. During the inspection, the Tenant was not present in the rental unit. Jelena Slomka testified that only unknown male occupants were present. According to her evidence, those occupants stated that they had moved into the rental unit in mid June 2025. They also stated that no one else was living in the unit and that there were eight male occupants residing there. Jelena Slomka further testified that the Landlord did not enter into any tenancy agreement with those persons.
4. Section 100(1) of the Act permits a landlord to apply to the Board for an order terminating the tenancy and evicting the tenant and the person to whom occupancy was transferred if the tenant transferred occupancy of the rental unit in a manner not authorized by the Act. Section 100(2) requires that the application be filed no later than 60 days after the landlord discovered the unauthorized occupancy.
5. Based on the Landlord's uncontested evidence, I am satisfied, on a balance of probabilities, that the Tenant transferred occupancy of the rental unit to unauthorized occupants in a manner not authorized by the Act. During the inspection on August 19, 2025, only unknown male occupants were present in the unit. Those occupants told the Landlord that they had moved into the rental unit in mid June 2025 and that eight male occupants were living there. Their statements support the conclusion that the rental unit was no longer being occupied by the Tenant in the ordinary course but instead had been turned over to other persons.
6. In addition, the Landlord's evidence that the Tenant's driver's licence listed another residential address supports the conclusion that the Tenant was not residing in the rental unit during the relevant period. The application was filed on August 27, 2025, within the applicable 60-day period.
7. Accordingly, the Landlord's application is granted, and the tenancy is terminated.

Daily Compensation

8. The Landlord is entitled to compensation for the use and occupation of the rental unit by the Unauthorized Occupant.
9. The Unauthorized Occupant owes the Landlord \$12,792.78 in daily compensation for use and occupation of the rental unit for the period from August 20, 2025, to the March 5, 2026.
10. Based on the Monthly rent, the daily compensation is \$64.61. This amount is calculated as follows: $\$1965.31 \times 12 \text{ months}$, divided by 365 days.
11. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The Tenant shall pay application filing fee as they are responsible for the unauthorized transfer.

Section 83 Considerations

12. 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. The Landlord was not aware of any circumstances that support granting relief from eviction. As noted, the Tenant did not attend the hearing of this matter and thus I did not have the opportunity to hear the evidence regarding the Tenant's circumstances or to dispute the Landlord's application for an eviction order.

It is ordered that:

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 22, 2026.
3. If the unit is not vacated by March 22, 2026, then starting March 23, 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 23, 2026.
5. The Unauthorized Occupant shall pay to the Landlord \$12,792.78 which represents daily compensation for the use of the rental unit from August 20, 2025, to the March 5, 2026.
6. The Unauthorized Occupant shall also pay to the Landlord \$64.61 per day for compensation for the use of the unit from March 6, 2026, to the date they move out of the unit.
7. The Tenant shall pay the Landlord \$201.00 for the cost of filing the application.
8. The Unauthorized Occupant /Tenant shall pay the Landlord the full amount owing by March 22, 2026.
9. If the Unauthorized Occupant/Tenant do not pay the Landlord the full amount owing by March 22, 2026, they will owe interest. This will be simple interest calculated from March 23, 2026, at 4.00% on the outstanding balance.

March 11, 2026
Date Issued

Joy Xiao
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 23, 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.