



Order under Section 100 Residential Tenancies Act, 2006

Citation: Lambropoulos v Mendez, 2026 ONLTB 21112

Date: 2026-03-09

File Number: LTB-L-050681-25

In the matter of: 1 Upstairs, 9 Invermay Avenue
Toronto Ontario M3H1Z1

Between: Peter Lambropoulos Landlords
George Lambropoulos

And

Aeron Mendez Tenant

And

Unknown Occupant(s) Unauthorized Occupant

Peter Lambropoulos and George Lambropoulos (the 'Landlords') applied for an order to terminate the tenancy of Aeron Mendez (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.

This application was heard by videoconference on February 18, 2026. The second named Landlord and the Tenant attended the hearing

Determinations:

1. The Tenant did not transfer 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. The Landlords stated that the Tenant has been avoiding them, that they do not believe they are residing in the rental unit. The Tenant has had roommates for the past couple years, and has been away for an extended period of time as they were in the Philippines from January 2025 to June 2025. The Landlords confirmed that the rent is being paid by the Tenant.
3. The Tenant did not dispute that they were away from the rental unit during that time period. They testified that they were on vacation and dealing with a family emergency. The Tenant confirmed that their belongings remain in the rental unit and confirmed that they do have roommates (Diane and Sara who pay \$800.00 each). The Tenant says that they split their time between the rental unit and a relative's place as they are attending an online course.

4. During the hearing, I canvased with the Tenant the address that is noted on their Driver's License; the Tenant confirmed that 155 Stanley Green Blvd in North York was the address indicated on the document (which is different than the rental unit).
5. Although a little concerning that the Tenant's driver's license is not the rental unit, it does not particularly mean that he is not residing in the rental unit. The Tenant provided a reasonable explanation regarding his extended absence from the rental unit and him splitting his time between the rental unit. A tenant is allowed to have roommates and/or occupants. However, the Tenant should understand that residential occupation is generally understood to be full-time occupation.
6. This is the Landlords' application and therefore, they bear the burden to lead sufficient evidence to establish that it is more likely than not, that the Tenant transferred occupancy of the rental unit to someone other than the Tenant. Aside from the bald assertion or belief that this was the case- the Landlords provided no other evidence. As such, I find that the Landlords have failed to meet their evidentiary burden and the application must be dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

March 9, 2026
Date Issued

Curtis Begg
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.