



Order under Section 100 Residential Tenancies Act, 2006

Citation: Hong v Bharwal, 2026 ONLTB 22492

Date: 2026-03-18

File Number: LTB-L-078636-25

In the matter of: 2603, 203 COLLEGE ST
Toronto ON M5T0C8

Between: Nicholas Hong Landlord

And

Mayank Bharwal Tenant

And

Unknown Occupant(s) Unauthorized Occupant

Nicholas Hong (the 'Landlord') applied for an order to terminate the tenancy of Mayank Bharwal (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 3, 2026.

The 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').
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Landlord testified that the Tenant has been in possession of the rental unit continuously and has never moved out or left the rental unit. The Landlord's testimony was that the Tenant moved another person into the rental unit with the Tenant while the Tenant maintained possession of the rental unit.
4. This application deals with the Tenant's unauthorized transfer of the tenancy, meaning that at some point the Tenant vacated the rental unit and transferred the occupancy to another individual without the consent of the Landlord.

5. Since the Landlord's own evidence is that the Tenant has never moved out and has lived in the rental unit the whole time, I am not satisfied that there has been a transfer of occupancy, the Tenant has occupied the unit continuously.
6. Therefore, the Landlord's application is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

March 18, 2026
Date Issued

Nicole Pedron
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.