



Order under Section 9(2) Residential Tenancies Act, 2006

Citation: Smith v Meecham, 2026 ONLTB 23886

Date: 2026-03-24

File Number: LTB-L-091814-25

In the matter of: 42 Fox Run
Brantford On N3R7P7

Between: Cameron Smith Applicant

And

Gary Meecham Respondent

Cameron Smith (the 'Applicant') applied for an order to determine whether the *Residential Tenancies Act, 2006* (the 'RTA') applies.

This application was heard by videoconference on March 17, 2026.

The Applicant, the Applicant's representative Charlene Lewin, and the Respondent attended the hearing.

Reasons:

1. The parties agree that the RTA does not apply to the residential unit.
2. The Respondent lived in the unit with the owner, and shared a kitchen and bathroom with her. The owner passed away in December 2024, and the Respondent continued to live in the unit. The Applicant is the owner's estate administrator, and brings this application seeking an order confirming that the RTA does not apply to the Respondent's occupation of the unit.
3. The parties agree that the Respondent was never a tenant. He did not rent the unit from the owner.
4. In the alternative, if the Respondent had been a tenant, then the RTA would not have applied to the tenancy pursuant to section 5(i) because the tenant shared a kitchen and bathroom with the owner.
5. Neither party claims that the RTA applies to the unit, so I do not know why this application was necessary, but the Applicant is entitled to the requested order confirming that the RTA does not apply.

It is ordered that:

1. The *Residential Tenancies Act, 2006* does not apply to the Respondent's occupation of the subject property.

March 24, 2026
Date Issued

Dale Whitmore
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.