



Order under Section 100 101 Residential Tenancies Act, 2006

Citation: King v Foreg, 2026 ONLTB 24852

Date: 2026-03-27

File Number: LTB-L-105610-25

In the matter of: 102, 50 WHITLAW WAY
PARIS ON N3L4C3

Between: Braeden King Landlord

And

Joseph Foreg (Foerg) Tenant

And

Brandon Element Subtenant
Armani Element
Lashawntay Ryan Miller

Braeden King (the 'Landlord') applied for an order to terminate the tenancy of Joseph Foreg (Foerg) (the 'Tenant') and evict (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.

Braeden King (the 'Landlord') applied for an order to evict Brandon Element, Armani Element and Lashawntay Ryan Miller (the 'Subtenant') because the subtenancy ended and the Subtenant continues to occupy the rental unit.

This application was heard by videoconference on March 16, 2026.

The Landlord and the Landlord's Representative Elizabeth Cote attended the hearing.

As of 1:21 pm, neither the Tenant nor the Unauthorized Occupant/Subtenant 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. The Landlord testified that a rental agreement was entered into with Joseph Foreg, as the only Tenant of the rental unit.
3. The Landlord testified that no one seen the Tenant at the unit, but on November 27, 2025, the police called the Landlord to inform him that two people, unauthorized occupants, were arrested and removed from the unit.
4. The Landlord testified that he attended the unit and found evidence of another unauthorized person, Lashawntay Ryan Miller living in the unit and neighbors confirmed someone was still living there, other then the Tenant.
5. The Unauthorized Occupant was in possession of the rental unit on the date the application was filed.
6. The application was filed within 60 days after the Landlord discovered the unauthorized occupancy.

Daily Compensation

7. The Landlord is no longer seeking daily compensation as it was addressed through another application before the Board.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs from the unauthorized occupant.

Section 83 Considerations

9. The Landlord is seeking a standard order terminating the tenancy, with an eviction date 11 days from the date of this order.
10. The Tenant/Unauthorized Occupants did not attend the hearing to present any evidence or submissions in support of granting relief from eviction.
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:

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 April 7, 2026.
3. If the unit is not vacated by April 7, 2026, then starting April 8, 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 April 8, 2026.
5. The Unauthorized Occupant shall pay the Landlord \$201.00 for the cost of filing the application.
6. The Unauthorized Occupant shall pay the Landlord the full amount owing by April 7, 2026.
7. If the Unauthorized Occupant does not pay the Landlord the full amount owing by April 7, 2026 they will owe interest. This will be simple interest calculated from April 8, 2026 at 4.00% on the outstanding balance.

March 27, 2026
Date Issued

Brenda Mercer
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 October 8, 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.