



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-083868-25
LTB-T-083207-25

In the matter of: 2413 (DEN), 33 ELM DR W
MISSISSAUGA ON L5B4M2

Between: Neharikka Vijj Tenant

And

Disha Popli Landlord

Neharikka Vijj (the 'Tenant') applied for an order determining that Disha Popli (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household. (T2 Application)
- harassed, obstructed, coerced, threatened or interfered with the Tenant. (T2 Application)
- collected or retained money illegally. (T1 Application)

This application was heard by videoconference on March 23, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The matters were decided together because a common preliminary issue resulted in the dismissal of both applications.
2. Section 5(i) of the *Residential Tenancies Act, 2006*, (the 'Act'), states that the Act does not apply to rental units in which the tenant is required to share a kitchen or bathroom with the landlord or certain specified family members.
3. In this case the rental unit was an apartment within a larger home occupied by the Landlord. The Tenant agrees that they were required to share a kitchen with the Landlord. Accordingly, the Act does not apply.

It is ordered that:

1. The application is dismissed.

March 26, 2026
Date Issued

Dawn Carr
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.