



## **Order under Section 100 Residential Tenancies Act, 2006**

**Citation:** Downsview Park Apartments Inc v Gok, 2026 ONLTB 26557

**Date:** 2026-04-02

**File Number:** LTB-L-081187-25

**In the matter of:** 104, 3444 Keele Street  
TORONTO Ontario M3J 1L8

**Between:** Downsview Park Apartments Inc Landlord

**And**

Yucel Gok Tenant

**And**

Unknown Occupant(s) Unauthorized Occupant  
Unknown Occupant(s)

Downsview Park Apartments Inc (the 'Landlord') applied for an order to terminate the tenancy of Yucel Gok (the 'Tenant') and evict Unknown Occupant(s) and 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 26, 2026.

Only the Landlord's representative, Eric Steiman, attended the hearing.

As of 2:40 p.m., neither the Tenant nor the Unauthorized Occupant(s) were 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:**

#### Preliminary Issue

##### *Adjournment request*

1. This uncontested matter was originally called at 9:50 a.m. but stood down to allow the Landlord's witness, Florinna Galbau, to log into the hearing.

2. When the matter was called again almost five hours later, the Landlord's representative requested an adjournment, stating that his witness was dealing with an emergency at one of the Landlord's properties and unable to attend. The Landlord's representative did not know what the emergency was nor was he able to explain why his witness could not attend the hearing by phone from her location. Given the lack of details regarding the emergency as well as the lack of an explanation as to why the Landlord's witness could not call into the hearing from her location, I exercised my discretion to deny the adjournment request.
3. The Landlord's representative then requested an adjournment on the basis that he found out that morning that the unauthorized occupant vacated the unit last week. The Landlord had found mail in the unit and now wanted to amend the application to include the name of the unauthorized occupant for the purpose of collecting daily compensation. The Landlord would also need time to locate and serve that individual with the amended application.
4. I considered that the application was filed on September 24, 2026 and the Notice of Hearing was emailed to the Landlord's representative on December 18, 2025. There was no evidence before me as to what efforts the Landlord had taken during that six-month period to ascertain the identity of the unauthorized occupant(s). The Landlord's representative admitted that there was no guarantee that they would be able to locate the individual they believed was the unauthorized occupant. I found that an adjournment was not appropriate in the circumstances and exercised my discretion to deny the second request to adjourn the hearing.

#### The Application

5. The Landlord's representative refused to proceed with the application. As such, the Landlord's application must be dismissed.

#### **It is ordered that:**

1. The Landlord's application is dismissed.

**April 2, 2026**  
**Date Issued**

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Karen Gonçalves  
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.