



Order under Section 135 Residential Tenancies Act, 2006

Citation: Friday v Tenuta, 2026 ONLTB 26626

Date: 2026-04-02

File Number: LTB-T-040037-25

In the matter of: 26 Mississauga Rd N
Mississauga ON L5H2H6

Between:	Samantha Friday	Tenant
	and	
	Domenic Tenuta	Landlord

Samantha Friday (the 'Tenant') applied for an order determining that Domenic Tenuta (the 'Landlord') failed to meet the Landlord's obligations related to suite meters under the *Residential Tenancies Act, 2006* (the 'Act').

This application was heard by videoconference on March 27, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

Termination of Landlord's obligation to supply electricity to the rental unit

1. In her application, the Tenant applied under reasons 2 and 3, which applies to circumstances where the landlord had the obligation to supply electricity to the rental unit but the parties have agreed that responsibility for electricity will shift to the tenant. In other words, the charge for electricity was originally included in the rent and, as a result of the transfer, the charge for electricity is taken out of the rent, and the tenant is required to pay for the utility.
2. It was undisputed evidence before me that it is a term of the tenancy agreement that the Tenant is responsible for payment of hydro and gas. The Tenant has been responsible for payment of the hydro and gas since the commencement of the tenancy. As such, these grounds claimed in the application do not apply to the circumstances before the Board and this portion of the application is dismissed.

Information for prospective tenant – suite meter

3. The Tenant also applied under reason 6, which applied to situations where a landlord did not provide a tenant with information on the previous electricity consumption for the rental unit, prior to entering into the tenancy agreement. The requirement for a landlord to provide this information was governed under section 137(7) of the Act, which has been repealed.
4. Therefore, the Board does not have jurisdiction to consider an application filed for this reason and this portion of the Tenant's application is dismissed.

Information for prospective tenant – apportionment of utility costs

5. The Tenant also applied under reasons 8 and 10, which apply to situations where a landlord charges a tenant a portion of the total utilities for the building. In other words, each rental unit is responsible for a percentage of the total utilities for the building.
6. It was undisputed evidence before me that each unit has a suite meter and that the suite meter was installed prior to the commencement of the tenancy. Therefore, these grounds claimed in the application do not apply to the circumstances before the Board and this portion of the application is dismissed.

Hot water tank rental

7. Part of the Tenant's claim was centered around transfer of the responsibility for the hot water tank rental to the Tenant.
8. Section 2(1) defines utilities as heat, electricity and water. A hot water tank rental is not included in the definition of utilities and while the Tenant may have a claim for this issue under another application, this application does not apply to these circumstances.

It is ordered that:

1. The Tenant's application is dismissed.

April 2, 2026
Date Issued

Candace Aboussafy
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.