



Order under Section 100 101 Residential Tenancies Act, 2006

File Number: LTB-L-074142-25

In the matter of: 614, 130 VAUGHAN ROAD
TORONTO ONTARIO M6C3Z6

Between: Toronto Seniors Housing Corporation Landlord

And

Lili Tabidze Tenant

And

Nadezda Smirnova Unauthorized Occupant

Toronto Seniors Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy of Lili Tabidze (the 'Tenant') and evict Nadezda Smirnova (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.

Toronto Seniors Housing Corporation (the 'Landlord') applied for an order to evict (the 'Subtenant') because the subtenancy ended, and the Subtenant continues to occupy the rental unit.

This application was heard by videoconference on February 24, 2026.

The Landlord's legal representative Adam Fraccaro, and the Unauthorized Occupant attended the hearing.

As of 9:29 a.m., the Tenant was not 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:

Unauthorized Transfer of Occupancy/Sub-tenancy Ended

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 Unauthorized Occupant testified that she found the rental unit advertised on a private website and made monthly payments pursuant to a one-year lease.

3. The Landlord's evidence is that the Landlord was informed by the Tenant that she had moved out on October 30, 2024, and asked to formally terminate her tenancy. The Landlord's agents advised the Tenant that she could provide an N9 notice with proper notice being given up to January 31, 2025. The Tenant vacated the rental unit without providing notice however, the unauthorized occupant did not move out.
4. Based on the evidence before me, I am satisfied that the Tenant transferred occupancy of the rental unit to the unauthorized occupant, and this was not an authorized transfer or sublet agreement.
5. The Unauthorized Occupant was in possession of the rental unit on the date the application was filed.
6. The application was not filed within 60 days after the Landlord discovered the unauthorized occupancy however, the Landlord falls within the exemptions pursuant to the Act.

Daily Compensation

7. At the hearing, the Landlord waived entitlement to compensation for the use and occupation of the rental unit by the Unauthorized Occupant.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The cost of the application shall be paid by the Tenant.

Section 83 Considerations

9. The Unauthorized Occupant testified that they have been aware of the situation and agreed to voluntarily vacate the rental unit on or before March 31, 2026. Based on the date this order will issue, a standard order for eviction within 11 days is appropriate.
10. 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 10, 2026.
3. If the unit is not vacated by April 10, 2026, then starting April 11, 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 11, 2026.
5. The Tenant shall pay the Landlord \$201.00 for the cost of filing the application.

6. The Tenant shall pay the Landlord the full amount owing by April 10, 2026.
7. If the Tenant does not pay the Landlord the full amount owing by April 10, 2026, they will owe interest. This will be simple interest calculated from April 11, 2026, at 4.00% on the outstanding balance.

March 30, 2026
Date Issued

Kyle McGraw
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 11, 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.