



Order under Section 100 Residential Tenancies Act, 2006

File Number: LTB-L-071130-25

In the matter of: 707, 50 ORDNANCE ST.
TORONTO ON M6K1A2

Between: German Arias Landlords
Maria Campos

And

Caroline Marie-France Le Flamanc Tenant

And

Anthony Jean-Marc Amate Unauthorized Occupant

German Arias and Maria Campos (the 'Landlords') applied for an order to terminate the tenancy of Caroline Marie-France Le Flamanc (the 'Tenant') and evict Anthony Jean-Marc Amate (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlords' consent. The Landlords also applied for compensation by the Unauthorized Occupant for the use of the rental unit.

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

The Landlord German Arias, the Landlords' Legal Representative Mitchell Kent and the Tenant attended the hearing.

All references to Landlord in the singular refer to German Arias.

As of 9:43 AM the Unauthorized Occupant 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 and Tenant's evidence.

Determinations:

1. The Landlords entered into a tenancy agreement with Caroline Marie-France Le Flamanc and Anthony Jean-Marc Amate the Unauthorized Occupant on March 20, 2024 for tenancy of the rental unit to commence May 2, 2024.
2. In a conversation with Caroline Marie-France Le Flamanc in April, 2025, the Landlord learned that Anthony Jean-Marc Amate had vacated the rental unit in January, 2025 and

was living out of the country and arranged for another individual to reside in a bedroom within the rental unit.

3. The Tenant Caroline Marie-France Le Flamanc was uncomfortable sharing the rental unit with an unknown individual and the Landlords agreed to end her tenancy and she vacated the rental unit on May 12, 2025.
4. The rental unit remained vacant from May 12, 2025 until July 28, 2025 when Anthony Jean-Marc Amate moved back into the rental unit.
5. Anthony Jean-Marc Amate again vacated the rental unit in October and the rental unit continues to remain vacant as of the date of this hearing.

Analysis

6. An A2 application is about what happens when a tenant moves out of a rental unit leaving an occupant behind. The relevant provisions are found in Sections 96 to 104 of the *Residential Tenancies Act, 2006* (the 'Act').
7. There is no evidence before me that the Tenant moved out of the rental unit leaving behind an occupant. The evidence before me is that the Landlords and the Tenant agreed to terminate the tenancy and the Tenant moved out of the rental unit on May 12, 2025 and that the rental unit remained vacant until July 28, 2025.
8. The alleged unauthorized occupation of the rental unit occurred after the Tenant had vacated the rental unit on the consent of the Landlord.
9. On this basis the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 7, 2026
Date Issued

Sean Ramage
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.