



Order under Section 100 Residential Tenancies Act, 2006

Citation: Marques v Tully, 2026 ONLTB 27483

Date: 2026-04-08

File Number: LTB-L-093232-25

In the matter of: 203 Barry Place
London ON N6H1K2

Between: John Marques Landlord

And

Christopher Tully Tenant

And

Krista Tully Unauthorized Occupant

John Marques (the 'Landlord') applied for an order to terminate the tenancy of Christopher Tully (the 'Tenant') and evict Krista Tully (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 31, 2026.

The Landlord and the Unauthorized Occupant attended the hearing.

Determinations:

1. It is undisputed that the Tenant gave the Landlord a notice to end the tenancy and vacated the rental unit on September 30, 2025. The termination was confirmed in Board order LTB-L-067849-25 issued on August 25, 2025.
2. The Unauthorized Occupant was confirmed to be an occupant of the rental unit in Board order LTB-L-067849-25-RV issued on January 5, 2026. It was also undisputed that the Unauthorized Occupant continued to occupy the rental unit until March 10, 2026 when the Sheriff enforced eviction.
3. As both the Tenant and the Unauthorized Occupant has vacated the rental unit, the issue of termination is moot and the only issue before the Board is daily compensation. Given that the Unauthorized Occupant continued to occupy the rental unit after the Tenant vacated, I find it appropriate to order the Unauthorized Occupant to pay the Landlord daily

compensation for the use and occupation of the rental unit and reimburse the Landlord the costs for filing this application.

4. The Unauthorized Occupant owes the Landlord \$6840.89 in daily compensation for use and occupation of the rental unit for the period from October 1, 2025 to the March 10, 2026.
5. Based on the Monthly rent, the daily compensation is \$42.49. This amount is calculated as follows: \$1292.27 x 12 months, divided by 365 days.

It is ordered that:

1. The Unauthorized Occupant shall pay to the Landlord \$6840.89 which represents daily compensation for the use of the rental unit from October 1, 2025 to the March 10, 2026.
2. The Unauthorized Occupant shall also pay the Landlord \$201.00 for the cost of filing the application.
3. If the Unauthorized Occupant does not pay the Landlord the full amount owing by April 19, 2026 they will owe interest. This will be simple interest calculated from April 20, 2026 at 4.00% on the outstanding balance.

April 8, 2026
Date Issued

Vicky Liu
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.