



Order under Section 100 Residential Tenancies Act, 2006

Citation: Pinto v Adams, 2026 ONLTB 30177

Date: 2026-04-20

File Number: LTB-L-088632-25

In the matter of: E, 223 CLARE STREET
THOMASBURG ONTARIO K0K3H0

Between: Floyd Pinto Landlords
Pine Hill Group 50

And

Ashley Adams Tenant

And

Unknown Occupant(s) Unauthorized Occupant

Floyd Pinto and Pine Hill Group 50 (the 'Landlords') applied for an order to terminate the tenancy of Ashley Adams (the 'Tenant') and evict Unknown Occupant(s) (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlords' consent.

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

The Landlord Floyd Pinto and the Tenant attended the hearing.

As of 11:54 a.m., the Unauthorized Occupant was 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 Landlords' and Tenant's evidence.

Determinations:

1. The Tenant did not transfer 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').
2. This rental unit is a site in a land lease community. The Tenant owns the mobile home on the site and rents site 'E' from the Landlords.
3. The Landlords allege that the Tenant permitted additional people to live in the mobile home without the Landlords' consent in contravention of the lease agreement and rules of the mobile home park.

4. The Landlord Floyd Pinto testified that in March, 2024 he received complaints from other tenants in the mobile home park that the Tenant had other people living in her mobile home.
5. In September, 2025 the Landlord observed four vehicles parked in front of the Tenant's mobile home.
6. On October 6, 2025 the Landlord received further complaints from other tenants in the residential complex, that people other than the Tenant were residing in the Tenant's mobile home.
7. The Tenant states that she never transferred occupancy of the rental site, and had at times permitted family members to use her mobile home.
8. The Tenant further states that during the tenancy her mobile home has always occupied the rental site and she pays rent for the site directly to the Landlords.

Analysis

9. The Landlords application is based on an alleged assignment or sublet of the rental unit to an unauthorized occupant.
10. As per the definition of a rental unit under subsection 2(1) of the *Residential Tenancies Act, 2006* (the 'Act'), **the site in which the mobile home is located is the "rental unit" and not the mobile home itself** because the Tenants own the mobile home, and they rent the site from the Landlords. (emphasis added)
11. Pursuant to subsection 2(1) the site is the rental unit in this instance is lot 'E' of the mobile home park.
12. On an application to the Board, the person who alleges a particular event occurred has the burden of proof to establish that it is more likely than not that their version of events is true. In this case the burden falls on the Landlords.
13. There is no evidence before the Board that the Tenant sold her mobile home to another individual or permitted another individual's mobile home to be parked on the site.
14. Whether or not the Tenant permitted other individuals to reside in her mobile home at various times is not an assignment or sublet of the rental unit. The rental unit is the site (land) the mobile home is located on. For that reason the Landlords' application can't succeed and must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 20, 2026
Date Issued

Sean Ramage
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.