



Order under Section 135 Residential Tenancies Act, 2006

Citation: Sritharan v Doodram, 2026 ONLTB 30793

Date: 2026-04-20

File Number: LTB-T-097762-25 and LTB-T-097774-25

In the matter of: ROOM, 88 FRED YOUNG DRIVE
TORONTO ON M3L0A3

Between: Mayuran Sritharan Tenant

And

Devi Doodram Landlord

LTB-T-097762-25

Mayuran Sritharan (the 'Tenant') applied for an order determining that Devi Doodram (the 'Landlord') collected or retained money illegally.

LTB-T-097774-25

Mayuran Sritharan (the 'Tenant') applied for an order determining that Devi Doodram (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 13, 2026.

Only the Tenant attended the hearing.

As of 9:53 a.m., the Landlord 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 Tenant's evidence.

Determinations:

1. As explained below, the section 5(i) of the *Residential Tenancies Act*, 2006 (the 'Act') applies to the rental unit and therefore the living accommodation is exempt from the Act. Therefore, the Tenant's applications are dismissed.
2. I have considered all of the evidence presented at the hearing and all of the oral testimony and although I may not have referred to each piece of evidence individually or referenced all of the testimony, I have considered it when making my determinations.

3. At the commencement of the hearing, I confirmed with the Tenant that the Landlord's address was the same as the rental unit to verify if I was satisfied that the Landlord had received notice of hearing. During this the Tenant began describing the living accommodations.
4. The Tenant testified that the residential complex was a house, and he rented a room on the main floor. The Tenant testified that there were other people also renting rooms on the main floor. The Tenant testified that the Landlord indicated that she lived upstairs and an individual the Landlord identified as her husband lived in a room on the main floor. The Tenant testified that there were multiple bathrooms but everyone in the house shared the kitchen. The Tenant testified that at some point the Landlord may have left the residential complex to visit family and he is not sure if she returned or not.
5. Section 5 of the Act sets out certain living arrangements where the Act does not apply. Section 5 of the Act provides:
 5. This Act does not apply with respect to,
 - (i) living accommodation whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner's spouse, child or parent or the spouse's child or parent, and where the owner, spouse, child or parent lives in the building in which the living accommodation is located;
6. Based on the testimony from the Tenant I find that the occupants of the house were all required to share the kitchen with the Landlord and the Landlord's husband (spouse). I am satisfied that the Landlord and the Landlord's spouse lived in the house with the Tenant and other residents. Even if the Landlord at some point left the house, I am not satisfied that the Landlord permanently vacated the house. Furthermore, even if the Landlord had permanently vacated the house, the Tenant's evidence was that the Landlord's spouse remained. Therefore section 5(i) of the Act applies, and this rental unit is exempt from the Act.
7. Since I am satisfied that the parties are required to share a kitchen facility, I do not find it necessary to address whether they are also required to share a bathroom facility.
8. Since the Act does not apply both Tenant applications shall be dismissed.

It is ordered that:

1. The *Residential Tenancies Act*, 2006 (the 'Act') does not apply.

April 20, 2026
Date Issued

Nicole Pedron
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.