



Order under Section 9(2) Residential Tenancies Act, 2006

File Number: LTB-L-023804-26

In the matter of: 1646 HANSULD STREET
LONDON ON N5V1 Y7

Between: Dinal Peramune Landlord

and

Paul Poirier Tenant

Dinal Peramune (the 'Landlord') applied for an order to determine whether the *Residential Tenancies Act, 2006* (the 'Act') applies.

This application was heard by videoconference on April 14, 2026.

Only the Landlord and his legal representative Nivedita Agarwal attended the hearing.

As of 1:17 pm, 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:

1. The Landlord's uncontested evidence proves the following facts on a balance of probabilities which is sufficient to demonstrate that the *Residential Tenancies Act, 2006* (the 'Act') does not apply to the relationship between the parties:
 - (a) The Landlord invited the Tenant to occupy a room in the residential complex free of charge.
 - (b) The room the Tenant occupies is not compliant with applicable by-laws and regulations for rented residential premises.
 - (c) The parties did not discuss the duration of the Tenant's expected occupancy although it was understood that it would be temporary.
 - (d) The Tenant has never paid rent or other consideration in exchange for occupying the room.
2. The Act governs the relationship between landlords and tenants and applies to all rental units: subsection 3(1). Rental units are those used or intended for use as rented residential

premises. Tenants are persons who pay rent or give other consideration for the right to occupy a rental unit.

3. The Landlord's uncontested evidence proves on a balance of probabilities that the room the Tenant occupies is not a rental unit because it is not intended for use as rented residential premises and that the Tenant is not a "tenant" within the meaning of subsection 2(1) because it was understood that would not pay money or give any other consideration in exchange for the right to occupy the room.

It is ordered that:

1. The *Residential Tenancies Act, 2006* does not apply.

April 21, 2026

Date Issued

Nersi Makki

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.