



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-107414-25

In the matter of: 1750 FAIRPORT RD
PICKERING ON L1V1S8

Between: SOHAIB IMRAN RANA Tenant

And

CHRISTOPHER VIEIRA Landlord

SOHAIB IMRAN RANA (the 'Tenant') applied for an order determining that CHRISTOPHER VIEIRA (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 15, 2026.

The Landlord and the Tenant attended the hearing.

The Tenant is referred to as a tenant for the purposes of this order and not because they shared the rights of a tenant under the *Residential Tenancies Act, 2006* (the 'Act').

Determinations:

1. The Landlord submitted that the Board did not have the authority to address this matter as the Tenant was never legally a tenant as this tenancy was exempt under section 5(i) of the *Residential Tenancies Act, 2006* (the 'Act').
2. Section 5(i) of the Act states:

Exemptions from Act

- 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.

[Emphasis Added]

3. The parties agreed that the Tenant never moved into the rental unit and that the accommodation was to be shared with the Landlord. The parties further agreed that there was only one kitchen in the rental unit and that this kitchen was to be shared between the Landlord and Tenant. I find that this tenancy was exempt from the Act under section 5(i). I make this finding because the parties agreed that the kitchen were to be shared between both the Landlord and Tenant.
4. Since I made the above finding that the rental unit is exempt from the Act, the Tenant's application is dismissed.

It is ordered that:

1. The Tenant's application is dismissed.
2. The Act does not apply.

April 21, 2026
Date Issued

Vishal Nanda
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.