



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-087790-25

In the matter of: 135 Bathurst
Toronto ON M5V2R2

Between: Eric Fernando Castillo Tenant

And

Marie Fauberte Saintil Landlord

Eric Fernando Castillo (the 'Tenant') applied for an order determining that Marie Fauberte Saintil (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 9, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord testified that the Tenant was sharing a bathroom with the Landlord and their family member as they live in the building, and therefore the *Residential Tenancies Act, 2006* (the 'Act') does not apply. The Tenant confirmed that he shared a bathroom facility with the Landlord and their family member.
2. Section 5(i) of the Act states that the Act does not apply with respect to:

"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."
3. I find that the Landlord and their family member live in the building and share a bathroom facility with the Tenant, therefore the tenancy is exempt under section 5(i) of the Act. The Tenant's application must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

April 17, 2026
Date Issued

Allana McComb
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.