



## **Order under Section 31 Residential Tenancies Act, 2006**

**File Number:** LTB-T-059771-25

**In the matter of:** 1016, 280 Davis  
NEWMARKET ON L3Y8M6

**Between:** Wayne Everson Tenant

**And**

Carpenters Local 27 Housing Co-operative  
Inc. Landlord

Wayne Everson (the 'Tenant') applied for an order determining that Carpenters Local 27 Housing Co-operative Inc. (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.

This application was heard by videoconference on April 21, 2026.

The Landlord's Legal Representative, C. Corsetti, the Landlord's Legal Representative's Paralegal Candidate, E. Quintanilla, the Landlord's Agents, Sabrina Harrison and Christiane De Poppe, and the Tenant attended the hearing.

For the purposes of this order, the Co-op Member is referred to as the "Tenant" and the Co-op is referred to as the "Landlord" for ease of reference.

### **Determinations:**

1. The Landlord is amended to Carpenters Local 27 Housing Co-operative Inc. and Sabrina Harrison is removed as a Landlord as she is an employee of the Co-operative.
2. The Landlord's Legal Representative submitted that the Landlord is a co-operative and the Tenant signed an occupancy agreement for a member unit (DOC-7753528pgs2-3) as such this living accommodation is exempt from portions of the *Residential Tenancies Act, 2006* (the 'Act') including tenant applications. The Landlord's Legal Representative relied on section 5(c) of the Act and provided a copy of a prior decision of the LTB in support, order, LTB-T-052693-24, issued on March 18, 2025 (DOC-7753528pgs6-7).
3. The Tenant believed that he could bring this application to the LTB as the co-operative Board has refused his appeal and he believes that they are substantially interfering with his reasonable enjoyment of the premises.

4. Section 5(c) of the Act provides that:

This Act does not apply with respect to,

(c) living accommodation that is a member unit of a non-profit housing co-operative, except for Part V.1, and except for those provisions in other Parts that are needed to give effect to Part V.1

5. There was no dispute that the Landlord is a non-profit housing co-operative and the Tenant occupies a member unit. In accordance with section 5(c) of the Act, this type of living accommodation is exempt from the Act except for Part V.1 which speaks to termination of occupancy for non-profit housing co-operatives. This application, brought by the Tenant, was filed pursuant to section 29 of the Act which falls within Part III of the Act.
6. In accordance with section 5(c) of the Act, Part III and section 29 of the Act do not apply to a tenant residing in a member unit of a non-profit co-operative.
7. Consequently, the application is dismissed.

**It is ordered that:**

1. The application is dismissed.

**April 27, 2026**  
**Date Issued**

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Lisa Del Vecchio  
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.