



**Order under Section 94
Residential Tenancies Act, 2006**

File Number: LTB-L-108456-25

In the matter of: 88 ROCMARY PL
Vaughan ON L3L0A9

Between: Golden Leaf, Group of Companies Limited Landlord

And

Lidia Dinicolo Tenants
Boris Pulec
Red Horse Properties Inc.

Golden Leaf, Group of Companies Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Lidia Dinicolo, Boris Pulec, and Red Horse Properties Inc. (the 'Tenants') because:

- the rental unit is the superintendent's premises and the Tenant's employment as superintendent has ended.

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

The Landlord's Agent, Allen Sitsker and the Tenants and the Tenant's Representative, Martin Zarnett attended the hearing.

Determinations:

Preliminary Issue: Ownership of the Property and Board Jurisdiction

1. At the outset of the hearing, the Tenant's Representative raised a preliminary issue on whether the Board has the jurisdiction to hear the application. The Tenant's Representative argued that the Landlord named in this application is neither the owner nor landlord of the rental property identified in this application and that the Tenants named in this application are not superintendents nor tenants but rather the registered owners of the property.

2. The Tenants named in this application are Lidia Dinicolo, Boris Pulec, and Red Horse Properties Inc. The Tenant's Legal Representative argued that the property is owned by Red Horse Properties Inc., an incorporated company that is owned and operated by Lidia Dinicolo and Boris Pulec. The Tenant's tendered evidence in the form of a land registry search showing that the rental property as identified in this application is owned by the Tenants named in this application.
3. The Tenant's Representative also argued that the corporate Landlord named in this application is not an owner of the property, nor does the corporation named, or director of said corporation fall under the definition of a landlord as defined by the Act.
4. The Tenant's Representative argued that the named Landlord in this application has no interest in the property and that the Board has no jurisdiction to hear the matter as this is not a landlord and tenant relationship.
5. The Landlord Agent, Allen Sistker (A.S.) argued that the Landlord is the owner of the property and that the Tenants named in the application are not the owners.
6. A.S. tendered a document demonstrating that he, as the agent of the corporation, held a majority share or control over the corporation named as the landlord in this application. A.S. also argued that this corporation uses the address of the rental unit identified in this application as their address for service. A.S. believed that this somehow meant that the corporation also owned the property identified as the rental unit in this application.
7. A.S. could not provide any documentation to support his claim that his company, Golden Leaf, was the registered owner of the rental unit. He also did not provide any evidence to support that Golden Leaf acted in such a manner or took any steps to fall within the definition of a landlord as defined by the Act.
8. Based on the evidence, I am not satisfied that Golden Leaf is the owner or landlord of the property identified as the rental unit in this application. I am also not satisfied that the Tenants named in this application are Tenants or were employed as superintendents at any time. I make this finding because the land registry document clearly shows ownership of the property being held by Red Horse Properties Inc, a corporation that is owned and operated by Lidia Dinicolo and Boris Pulec, the Tenants named in this application. Therefore, the application must be dismissed because the relationship of the parties is not that of a landlord and tenant.

It is ordered that:

1. The application is dismissed.

April 29, 2026

Date Issued

Ilan Shingait

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.