



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

File Number: LTB-L-017320-25-RV2

In the matter of: Upper, 2640 Credit Valley Road
Mississauga Ontario L5M4J6

Between: Davinder Pratap Anand Landlord

And

The Estate of Desiree Fulton c/o Rebecca Foster Tenant

And

Steven Foster Unauthorized Occupants
Rebecca Foster

Review Order

Davinder Pratap Anand (the 'Landlord') applied for an order to terminate the tenancy of *The Estate of Desiree Fulton c/o Rebecca Foster* (the 'Tenant') and evict Steven Foster and Rebecca Foster (the 'Unauthorized Occupants') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupants without the Landlord's consent (hereafter referred to as the 'A2 Application').

The Landlord also applied for compensation by the Unauthorized Occupants for the use of the rental unit.

This A2 Application was heard on August 11, 2025, and resolved by the order LTB-L-017320-25, issued on August 15, 2025.

On September 15, 2025, Rebecca Foster requested a review of the order LTB-L-017320-25, issued on August 15, 2025, and that the order be stayed until the request to review the order is resolved, as they alleged that they were not reasonably able to participate in the proceedings on August 11, 2025 (hereafter referred to as the 'First Request to Review').

On September 16, 2025, the interim order LTB-L-017320-25-RV-IN was issued, staying the order LTB-L-017320-25, issued on August 15, 2025.

The First Request to Review was heard on October 9, 2025, and November 6, 2025. Pursuant to the interim order LTB-L-017320-25-RV-IN2, issued on November 14, 2025, the First Request to Review was granted and the A2 Application was directed to be re-heard.

The A2 Application was re-heard on December 16, 2025, and resolved by the order LTB-L-017320-25-RV, issued on January 9, 2026.

On February 9, 2026, Rebecca Foster requested a review of the order LTB-L-017320-25-RV, issued on January 9, 2026, and that the order be stayed until the request to review the order is resolved, as they alleged that they were not reasonably able to participate in the proceedings on December 16, 2025 (hereafter referred to as the 'Second Request to Review').

On February 12, 2026, the interim order LTB-L-017320-25-RV2-IN was issued, staying the order LTB-L-017320-25-RV, issued on January 9, 2026.

The Second Request to Review was heard on March 19, 2026. Pursuant to the interim order LTB-L-017320-25-RV2-IN2, issued on March 27, 2026, the Second Request to Review was granted and the A2 Application was directed to be re-heard.¹

This A2 Application was re-heard by videoconference on April 27, 2026.

The Landlord's Agent, Raman Anand, the Landlord's Legal Representative, Ajay Grewal, the Landlord's Witnesses, Nagan Pulendran and Harpreet (Harry) Sohal, and the Unauthorized Occupant, Rebecca Foster, attended the hearing.

Rebecca Foster was authorized to act on behalf of Steven Foster and *The Estate of Desiree Fulton*.

At the hearing, the parties consented to the following order. I am satisfied that the parties understood the consequences of their joint submission, and specifically that the Unauthorized Occupants understood that the tenancy was terminated and that they were required to move out of the rental unit.

Agreed Facts:

1. The parties agreed that Desiree Fulton was the sole Tenant of the rental unit and that they passed away on December 19, 2024.
2. The parties agreed to amend the A2 Application to reflect *The Estate of Desiree Fulton c/o Rebecca Foster* as being the Tenant and a named respondent. The amendment was granted, and the style-of-cause was amended accordingly.²
3. The parties agreed to amend the application, as the Landlord no longer sought for the Unauthorized Occupants to pay compensation for the use of the rental unit. Pursuant to subsection 200(1) of the *Residential Tenancies Act, 2006*, and Rule 15.4 of the Board's *Rules of Procedure*, the amendment request was granted.

¹ Rule 26.16 of the Board's *Rules of Procedure*.

² Subsection 200(1) of the *Residential Tenancies Act, 2006*, and Rule 15.4 of the Board's *Rules of Procedure*.

4. The parties agreed that, upon receiving a notice of entry by the Landlord or their agents on or before May 1, 2026, the Unauthorized Occupants shall allow the Landlord's technician to access the rental unit in accordance with the notice of entry, in order to inspect the dishwasher and its corresponding water leak.
5. The parties agreed that, upon vacant possession of the rental unit being returned by the Unauthorized Occupants to the Landlord, the Landlord shall pay Rebecca Foster the amount of \$700.00.

It is ordered on consent that:

1. The interim order LTB-L-017320-25-RV-IN, issued on September 16, 2025, is cancelled.
2. The order LTB-L-017320-25-RV, issued on January 9, 2026, is replaced with the following:
3. The tenancy between the Landlord and the Tenant is terminated as of January 18, 2025.
4. The Unauthorized Occupants shall move out of the rental unit on or before May 31, 2026.
5. If the unit is not vacated by May 31, 2026, then starting June 1, 2026, the Landlord may file this order with the Court Enforcement Office (the Sheriff), so that the eviction may be enforced.
6. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord after June 1, 2026.

May 1, 2026
Date Issued

Alexandre Traboulsi
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.