



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-006692-26

In the matter of: 6, 402 MONTREAL RD
OTTAWA ON K1K0V4

Between: Scott Kenneth F N 0964139 B.C. Unlimited Landlord

And

Gilles Faubert Tenant
Jean-Pierre Giroux

Scott Kenneth F N 0964139 B.C. Unlimited (the 'Landlord') applied for an order to terminate the tenancy and evict Gilles Faubert and Jean-Pierre Giroux (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 8, 2026.

The only person who attended was an individual named Michael Caparelli identifying himself as a property manager for the Landlord. No evidence was presented that the property manager is an employee of the Landlord, an officer or director of the Landlord, or otherwise falls within a category of permitted representation under the *Residential Tenancies Act, 2006* (the 'Act') or the related bylaws of the *Law Society Act*.

Section 23 of the *Statutory Powers Procedure Act* permits parties to be represented by counsel or an agent, subject to any limitation imposed by another Act. Section 1(5) of the *Law Society Act* restricts the provision of legal services for a fee or other consideration unless the person is licensed by the Law Society of Ontario or falls within a specific statutory exemption set out in its bylaws.

In *Law Society of Upper Canada v. Chiarelli*, 2014 ONCA 391, the Court of Appeal confirmed that a person who, for hire or as part of a business, represents parties before tribunals and advances their legal positions is providing legal services. The Court emphasized that characterizing such services as "property management" or asserting that the representative is unpaid does not avoid the application of the *Law Society Act* where the activity is part of a business operated for commercial purposes. In the absence of the Landlord the matter was stood down permit Mr. Chiarelli an opportunity to telephone the Landlord to advise him that his attendance was required, following which he failed to sign back into the virtual hearing.

I find that the property manager is not an employee of the Landlord, nor does he fall within any exemption that would permit him to represent the Landlord at the hearing. As a result, he is not authorized to act as the Landlord's representative before the Board.

The Landlord, who is the proper party to the application, did not attend the hearing and did not make arrangements for authorized representation. In the absence of the Landlord or a properly authorized representative, the application cannot proceed. Consistent with Board practice, an application where the applicant fails to appear or be properly represented may be dismissed as abandoned.

As the Landlord did not attend the hearing and was not properly represented, I find that this application has been abandoned.

Determinations:

1. Since the Landlord did not attend the hearing to support their application, I find that this application has been abandoned.

It is ordered that:

1. The Landlord's application is dismissed.

May 20, 2026
Date Issued

Nathan Korenberg
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.