



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-080876-25

In the matter of: 602, 76 AIKMAN AVE
HAMILTON ON L8M1P9

Between: AMY DEE BOWKER Applicant

And

The Effort Trust Company Landlord

AMY DEE BOWKER (the 'Applicant') applied for an order determining that The Effort Trust Company (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.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was heard by videoconference on April 14, 2026 with file number LTB-L-088311-25.

The Landlord's Agent, Stella Farcas, the Landlord's Legal Representative, Benjamin R. Charlebois, the Applicant and the Applicant's Legal Representative, Vidy Matadeen, attended the hearing.

Determinations:

1. In file number LTB-L-088311-25, the Landlord's A2 application sought a determination that the Applicant was not a tenant. I found that the Applicant was an occupant and not a tenant.
2. Pursuant to *Interpretation Guideline 21: Landlords, Tenants, Occupants and Residential Tenancies*, a roommate or an occupant lives in the rental at the invitation and at the indulgence of the tenant and under the terms of the tenancy. An occupant or a roommate cannot file an application at the LTB relating to the tenancy against either the landlord or the tenant. Where the occupant pays part of the rent directly to the tenant, the occupant does not become a tenant.
3. Given that I found the applicant is an occupant in LTB-L-088311-25, she is unable to bring an application before the LTB and the application must be dismissed.

It is ordered that:

1. The Applicant's application is dismissed.

May 27, 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.