



Order under Section 135 Residential Tenancies Act, 2006

Citation: Williams v Thomas, 2026 ONLTB 41307

Date: 2026-06-01

File Number: LTB-T-011512-26

In the matter of: 907, 3390 Weston Road West
North York ON M9M2X3

Between: Doyle Williams Tenant

And

Omar Thomas Landlord

Doyle Williams (the 'Tenant') applied for an order determining that Omar Thomas (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on May 21, 2026. The Tenant and the Landlord attended the hearing.

Determinations:

1. As explained below, the Tenant's application is dismissed as the *Residential Tenancies Act, 2006* (the Act) does not apply to this tenancy and therefore, the Board has no jurisdiction to consider the application filed.
2. The Tenant's application was filed on January 30, 2026. As per the application, the tenancy commenced on January 1, 2026.
3. The parties agree that the rental unit is a single room located in a condominium and that the owner of the unit is the Landlord. The parties also agreed that the Landlord resided in the rental unit since the commencement of the tenancy and that the parties were required to share the same kitchen and bathroom facility. The Tenant further confirmed that he understood and agreed to this living arrangement prior to entering into the tenancy agreement.
4. Section 5 of the Act lists several living accommodations that are exempt from the RTA. Subsection 5(i) states the following:

5 This Act does not apply with respect to,

- (i) living accommodation whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner's spouse, child or parent or the spouse's child or parent, and where the owner, spouse, child or parent lives in the building in which the living accommodation is located
- 5. Based on the agreed facts between the parties at the hearing, this tenancy is exempt pursuant to subsection 5(i) of the Act as the Tenant was required at the commencement of the tenancy to share a kitchen and bathroom facility with the owner of the property.
- 6. As the tenancy is exempt from the Act, the Board has no jurisdiction to consider the merits of the application. The application is therefore dismissed.

It is ordered that:

- 1. The Tenant's application is dismissed.

June 1, 2026
Date Issued

Fabio Quattrociochi
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.