



Order under Section 135 Residential Tenancies Act, 2006

Citation: Verma v Arman, 2026 ONLTB 37700

Date: 2026-05-11

File Number: LTB-T-000022-26

In the matter of: 1408, 125 PARKWAY FOREST DR
NORTH YORK ON M2J1L9

Between: Pankaj Verma Tenant

And

Syed Osama Arman Landlord

Pankaj Verma (the 'Tenant') applied for an order determining that Syed Osama Arman (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 29, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Tenant applied to Board for an order determining that the Landlord illegally collected and retained a charge which is not allowed by the *Residential Tenancies Act, 2006* (the 'Act').
2. At the commencement of the hearing Syed Osama Arman indicated that he is not the Landlord and is tenant of the rental unit and that he rented a room in the rental unit to the Tenant Pankaj Verma.
3. The Tenant confirmed that he rented a room from Syed Osama Arman commencing July 1, 2025 and that Syed Osama Arman did not reside in the rental unit during his occupancy.
4. Section 2(1) of the Act defines a subtenant as a person to whom a tenant gives the right under section 97 to occupy the rental unit.
5. Section 97(1) of the Act states that a tenant may sublet a rental unit with the consent of the Landlord.
6. Syed Osama Arman did not have the consent of the Landlord to sublet the rental unit.

7. Additionally, pursuant to section 2(2) of the Act subletting a rental unit refers to a situation in which;
 - a) The tenant vacates the rental unit;
 - b) The tenant gives one or more persons the right to occupy the rental unit for term ending of a specific date before the tenant's term or period; and
 - c) The tenant has the right to resume occupancy of the rental unit after that specified date.
8. All three elements of the definition must be present for there to be a valid subtenancy.
9. Both parties agree that their agreement to rent a room was on a month-to-month basis and was not for a term ending on a specific date. As such the second element of the definition has not been met.
10. The agreement between the parties is not a valid subtenancy. I am not satisfied that the Board has jurisdiction over this agreement and the application is not properly before me and must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

June 8, 2026
Date Issued

Sean Ramage
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.

