



Order under Section 100 Residential Tenancies Act, 2006

Citation: Mariampillai v Thomson, 2026 ONLTB 46833

Date: 2026-06-15

File Number: LTB-L-036832-26

In the matter of: 19 Butcher Street
Brock ON L0K1A0

Between: Jordan Rajeeth Mariampillai Landlord

And

Carolyn Thomson Tenant

And

Michael Hiltz Unauthorized Occupant

Jordan Rajeeth Mariampillai (the 'Landlord') applied for an order to terminate the tenancy of Carolyn Thomson (the 'Tenant') and evict Michael Hiltz (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlord's consent. The Landlord also applied for compensation by the Unauthorized Occupant for the use of the rental unit.

This application was heard by videoconference on June 10, 2026.

Only the Landlord and the Landlord's legal representative, G. Sriragavan, attended the hearing. The Landlord's father, M. Mariampillai, attended the hearing as the Landlord's witness.

As of 1:26 p.m., neither the Tenant nor the Unauthorized Occupants were present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. For the reasons that follow, I find that the Tenant transferred the occupancy of the rental unit to Michael Hiltz and the other Unauthorized Occupants in a manner that was not authorized by the *Residential Tenancies Act, 2006* (the 'Act'). The Landlord did not enter into a tenancy agreement with this person.
2. The Unauthorized Occupants were in possession of the rental unit on the date the application was filed.

3. The rental unit is a house with a garage.
4. The Landlord's father, M. Mariampillai (MM), is the person who communicates and manages the Landlord's Tenants. He testified that in February 2026, the Tenant owed over a year of arrears. He said that she told him she would vacate the rental unit on or around February 18, 2026, and he believed that she had left because he entered the property after that date and he discovered that all the Tenant's belongings were gone. However, he said that he arrived at the property about a week later and found unknown people living in the rental unit and smoking marijuana.
5. MM said that he called the police to remove the unknown persons, and when the police arrived, one of the men living in the rental unit, named Michael Hiltz (MH) said that he was living in the unit with the authority of the Tenant. MM said that he overheard MH tell the police that he was the Tenant's partner, and he mentioned her by name. MM also said that he heard MH tell the police that he entered the unit by breaking into the garage.
6. MM said that he does not know MH, nor did he ever meet him during the tenancy. MM said that MH does not permit entry to the rental unit. He said that he attempted to have his bank visit the property for a tax assessment in April 2026, and the occupants told the assessors that they were not permitted into the rental unit. He said that he has spoken to the neighbours, and they have informed him that, up until the week before the hearing, they still observe unknown people living in the rental unit.
7. The Landlord filed the application on April 24, 2026. I find that the application was filed within 60 days after the Landlord discovered the unauthorized occupancy at the end of February or beginning of March 2026.
8. I find, on a balance of probabilities, based on the Landlord's uncontested evidence, that the Tenant transferred the tenancy to MH and other unauthorized occupants in a manner not authorized by the Act. The Tenant said to MM that she was vacating the rental unit because she had not paid rent in over a year. Although the Landlord appeared to accept her statement that she was going to leave, and they believed she had left, the tenancy never terminated as a result of a valid, written notice from the Tenant, nor a written agreement between the parties, nor as a result of an eviction order from the Board. Only a few days after the Tenant removed her belongings, there were a number of unauthorized occupants of the unit claiming a relationship with the Tenant. The Landlord did not know the unauthorized occupants, he had never met them, and the Tenant had never asked to add them as occupants of the rental unit. The Tenant had not asked for permission from the Landlord to transfer her tenancy, and none of the occupants requested a lease agreement with the Landlord. Since the tenancy never validly terminated, and since there were unauthorized occupants in the rental unit who alleged that they were there on the authority of the Tenant, I find that the tenancy was unlawfully transferred by the Tenant.

Daily Compensation

9. The Landlord is entitled to compensation for the use and occupation of the rental unit by the Unauthorized Occupant.

10. Based on the Monthly rent, the daily compensation is \$101.92. This amount is calculated as follows: \$3100.00 x 12 months, divided by 365 days.
11. The Landlord has already obtained an order from the Board for the arrears owed to February 18, 2026, order LTB-L-014224-26 issued on May 5, 2026. Therefore, the Landlord is entitled to daily compensation for the unit only from that date. That order was issued against the Tenant.
12. Since the Landlord became aware of the Unauthorized Occupants, the Tenant and/or the Unauthorized Occupants paid the Landlord \$0.00 in compensation for use of the rental unit. Therefore, the Tenant, MH and the other unauthorized occupants will be jointly ordered to pay daily compensation for the rental unit from the date of February 19, 2026.
13. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs. The same parties mentioned in paragraph #12 above will be jointly held responsible to pay the Landlord their filing costs.

Section 83 Considerations

14. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act, for the following reasons. The uncontested evidence of the Landlord is that the Tenant has already vacated the rental unit. The only individuals who currently live in the rental unit are Michael Hiltz and the other Unauthorized Occupants. They did not attend the hearing to provide evidence about whether to deny or delay eviction, and they have been blocking the Landlord from any access to the property, which includes blocking entry for an essential property assessment. The Landlord said that he is on the verge of imminently losing the property as a result of the blocking of the property assessment, and I find that it is highly prejudicial to the Landlord for the tenancy or unauthorized occupancy to continue.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated.
2. Michael Hiltz and the other Unauthorized Occupants shall move out of the rental unit on or before June 26, 2026.
3. If the unit is not vacated by June 26, 2026, then starting June 27, 2026, the Landlord may file this order with the Court Enforcement Office (the Sheriff), so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord after June 27, 2026.
5. The Tenant, Michael Hiltz and the other Unauthorized Occupants shall be jointly liable to pay the Landlord \$101.92 per day for compensation for the use of the unit from February 19, 2026, to the date they move out of the unit.

6. The Tenant, Michael Hiltz and the other Unauthorized Occupants shall also be jointly liable to pay the Landlord \$201.00 for the cost of filing the application.
7. The Tenant, Michael Hiltz and the other Unauthorized Occupants shall pay the Landlord the full amount owing by June 26, 2026.
8. If the Tenant, Michael Hiltz and/or the other Unauthorized Occupants do not pay the Landlord the full amount owing by June 26, 2026 they will owe interest. This will be simple interest calculated from June 27, 2026 at 4.00% on the outstanding balance.

June 15, 2026
Date Issued

Nancy Morris
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on December 27, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.