



**Order under Section 94
Residential Tenancies Act, 2006**

Citation: Pleaton Construction Company Limited v Sasin, 2022 ONLTB 11807

Date: 2022-11-10

File Number: LTB-L-009099-22

In the matter of: 102, 420 EGLINTON AVE E
TORONTO ON M4P1L8

Between: Pleaton Construction Company Limited Landlord

And

Henryk Sasin Tenant

Pleaton Construction Company Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Henryk Sasin (the 'Tenant') because:

- the rental unit occupied by the Tenant is the superintendent's premises and the Tenant's employment as superintendent has ended.

This application was heard by videoconference on November 2, 2022.

Only the Landlord's Legal Representative, Ian M. Shemesh, attended the hearing.

As of 10:33 am, the Tenant was not represented at the hearing. 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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. Therefore, the requested termination of the tenancy is to be granted, but the Landlord is not seeking any compensation or cost of filing from the Tenant (the ex-superintendent).
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. Based on the Landlord's submissions, I find the Landlord terminated the employment of the Tenant as the Landlord's superintendent on January 28, 2022.
4. The Landlord's Legal Representative submitted that the superintendent/Tenant had a medical illness and was admitted to hospital in February 2022. The legal representative further submitted that the Tenant subsequently passed away, but he was unable to provide any other details.
5. The Landlord's Legal Representative confirmed that the Landlord is only seeking an order to establish the termination date of the tenancy, which was the date the superintendent's employment ended.

It is ordered that:

1. The tenancy between the Landlord and the Tenant was terminated effectively on January 28, 2022.

November 10, 2022

Date Issued

Alex Brkic

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.