

2006 CarswellOnt 3233
Ontario Superior Court of Justice (Divisional Court)

Benedetto v. Dineen

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**Salvatore Benedetto (Landlord) Appellant and Ryan Dineen, Mirak
Jamal, Jon Cleland and Michael Krochak (Tenant(s)) Respondent**

B. Smith J., Cameron J., Cunningham A.C.J. Ont. S.C.J.

Judgment: May 15, 2006

Docket: Toronto 352/05

Counsel: None given

Subject: Property

Headnote

Landlord and tenant --- Residential tenancies — Rent — Miscellaneous issues
Deposit.

Per Curiam:

1 This Appeal is dismissed. In our view the Tribunal correctly interpreted s. 118.1(1) the T.P.A. The deposit was paid, no lease was signed and vacant possession was not given. The section of the Act prevails over the agreement to lease. No costs.