



Order under Section 135 Residential Tenancies Act, 2006

Citation: Tot v Kornrneef, 2026 ONLTB 4595

Date: 2026-01-14

File Number: LTB-T-064965-25

In the matter of: Basement, 26 Lupin Drive
Scarborough Ontario M1R4X3

Between: Helena Tot Tenant

And

Teresa Kornrneef Landlord

Helena Tot (the 'Tenant') applied for an order determining that Teresa Kornrneef (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on January 8, 2026.

The Landlord and the Tenant attended the hearing. The Tenant was provided a lap-top and was assisted by a mobile hearing technician pursuant to the Tenant's accommodation request.

Preliminary Issue:

- 1) The Tenant filed her application pursuant to s. 135(1) of the *Residential Tenancies Act, 2006* (the 'Act').
- 2) The Board raised a preliminary issue pursuant to s. 135(4) of the Act where it is outlined:

"No order shall be made under this section with respect to an application filed more than one year after the person collected or retained money in contravention of this Act."

Determinations:

- 3) The Tenant filed her T1 application with the Board on July 23, 2025, she submitted that she moved out of the rental unit on June 8, 2024, pursuant to the Landlord's L1 application in LTB-L095900-23 which terminated the tenancy on June 6, 2024.
- 4) Pursuant to s. 135(4) of the Act, the LTB can not issue an order for the return of money where the application is filed more than one year after the Landlord collected or retained money.

- 5) As this application was filed more than one year after the Landlord collected and retained the money the Tenant alleged, it must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

January 14, 2026
Date Issued

Alicia Johnson
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.