



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-043387-25

In the matter of: 604, 25 CANYON AVE
NORTH YORK ON M3H4Y1

Between: Tatiana Evanov Tenant

And

Hanard Investments Limited Landlord

Tatiana Evanov (the 'Tenant') applied for an order determining that Hanard Investments Limited (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on January 12, 2026.

The Landlord's Legal Representative, Geoff Paine, and and the Tenant's Legal Representative, Dmitriy Zubarev, attended the hearing.

Determinations:

Adjournment Request Denied

1. The Tenant's Legal Representative requested an adjournment as he was not able to file any evidence as he was having problems with his computer. The Landlord's Legal Representative did not consent to an adjournment request as he was requesting the application be dismissed based on no evidence to substantiate the claims as filed and part of the application was statute barred.
2. The adjournment request is denied as in accordance with the Board's Rule 19 for disclosure and evidence, the parties must provide the other party and the LTB a copy of all documents, pictures, or other evidence that the party intends to rely at least 7 days before the hearing. The Notice of Hearing was sent to the parties on or about October 15, 2025, which gives ample time for the parties to upload and submit evidence. There was not enough reasoning as to why his computer was not working which would otherwise impede the Tenant's Legal Representative in providing evidence to the Board or to the other party, and why he was not able to find alternate ways in doing so. For these reasons, the adjournment request is denied.

T1 Application

3. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
4. In the application, the Tenant provides two reasons why the application was filed. The first reason, the Tenant was requesting \$361.20 which represented the total amount the Tenant was overcharged in rent over the past 12 months. At the hearing, the Tenant's Legal Representative indicates that the Landlord did not illegally retain the \$361.20. Therefore, reason 1 will not be considered.
5. In reason 2 of the application, the Tenant alleges he paid to the Landlord \$1,823.81 in an illegal charge on June 6, 2023. The Landlord's Legal Representative raises the issue that this matter was already heard in LTB-T-101618-24 and is statute barred.
6. Section 135(4) of the *Residential Tenancies Act, 2006*, (the 'Act'), states that:

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 or the *Tenant Protection Act, 1997*. 2006, c. 17, s. 135 (4).

7. Because the Tenant indicates he paid to the Landlord the illegal charge on June 6, 2023, this amount is statute barred in accordance with s. 135(4) of the Act. Therefore, this application shall be dismissed.

It is ordered that:

1. The T1 application is dismissed.

January 15, 2026
Date Issued

Paula West Oreskovich
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.