



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-013734-25

In the matter of: 311, 120 Colborne st w
Oshawa ON L1G7Y8

Between: Judy Wolecki Tenant

And

Gateway Homes Inc Landlord

Judy Wolecki (the 'Tenant') applied for an order determining that Gateway Homes Inc (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on August 20, 2025.

Only the Landlord Representative, Robert Rose, attended the hearing.

Determination:

1. As of 9:57 a.m., the Tenant was not 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 Tenant's application was dismissed as abandoned.
2. The Landlord's representative asked that the Tenant be ordered to pay cost of \$150.00 to the Landlord and \$50.00 to the Board costs because the Tenant failed to appear at the hearing and because the Board had heard a similar application of the Tenant on October 7, 2024.
3. In that decision, the Board determined that the rental unit in question is defined as a designated housing provider under section 7 of the Residential Tenancies Act, 2006, (the Act) and therefore the matter was outside of the jurisdiction of the Board to hear it.
4. Mr. Rose held that while the current application deals with another rental unit and different time, the application is a bit vexatious and unnecessary as the matter is still outside of the jurisdiction of the Board to hear.
5. The Board has a discretionary power like that of the Courts to order costs where a party's conduct in the proceeding is unreasonable or causes undue expense or delay because of

bringing a frivolous or vexatious application or motion to the Board or initiating an application or any procedure in bad faith.

6. However, absent of the Tenant's input on the matter, I am not persuaded that the Tenant's application was in bad faith or vexatious. As a result, no costs are awarded.

It is ordered that:

1. The Tenants application is dismissed

January 13, 2026

Date Issued

Douglas Malanka

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.