



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-060035-25

In the matter of: 909 HWY 7A
CAVAN ON L0A1C0

Between: Kendra Miller Tenant

And

Robert Rae Landlord

Kendra Miller (the 'Tenant') applied for an order determining that Robert Rae (the 'Landlord') entered the rental unit illegally altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys (hereafter referred to as the 'T2 Application').

This T2 Application was scheduled for an Adjudicative Case Conference ('ACC') on January 26, 2026. The ACC was held by videoconference.

The Tenant, the Tenant's Support Person, Ligh Carrod, and the Landlord's Legal Representative, Crystal Francey, attended the ACC.

The Tenant declined an opportunity to speak with *Tenant Duty Counsel*.

Determinations:

Previous Proceedings

1. On March 21, 2024, the parties were scheduled to appear before the Board, with respect to the application LTB-L-083859-23, through which the Landlord sought to terminate the tenancy and evict the tenant because the tenant did not pay the rent that the Tenant owed (hereafter referred to as the 'L1 Application.')
2. The L1 Application was resolved by the order LTB-L-083859-23, issued on April 5, 2024. The tenancy was terminated on April 16, 2024.
3. On July 21, 2025, the Tenant filed a request to review the order LTB-L-083859-23, issued on April 5, 2024

4. The Tenant's request to review the order LTB-L-083859-23, issued on April 5, 2024, was heard on August 12, 2025, and resolved by the order LTB-L-083859-23-RV, issued on September 5, 2025.
5. The Tenant's request to review the order LTB-L-083859-23, issued on April 5, 2024, was denied.

T2 Application

6. The Tenant filed their T2 Application on July 21, 2025, in a further attempt to overturn the determinations made in the order LTB-L-083859-23, issued on April 5, 2024, as they take the position that they vacated the rental unit on December 25, 2023.
7. The T2 Application was filed with the Board pursuant to subsection 29(1) of the *Residential Tenancies Act, 2006* (hereafter referred to as the 'Act'). Subsection 29(2) of the Act reads as follows:

29 (2) No application may be made under subsection (1) more than one year after the day the alleged conduct giving rise to the application occurred. [Emphasis added]

8. Regardless of the merits of the T2 Application, the application was filed more than one year after vacant possession of the rental unit was returned to the Landlord. Subsection 29(2) of the Act therefore prevents the Board from issuing an order for any damages, as the application was filed beyond the one (1) year limitation period.
9. Pursuant to section 56 of the *Ontario Regulation 516/06*, the Board cannot extend the deadline for filing the application.
10. Subsection 197(1) of the Act reads as follows:

197 (1) The Board may dismiss an application without holding a hearing or refuse to allow an application to be filed if, in the opinion of the Board, the matter is frivolous or vexatious, has not been initiated in good faith or discloses no reasonable cause of action.

11. While I note that a separate application, such as the T2 Application, does not represent a secondary opportunity for the Tenant to seek to indirectly review the order LTB-L-083859-23, issued on April 5, 2024, the Tenant's T2 Application has no reasonable cause of action on the basis that it was filed beyond the one (1) year limitation period¹.
12. Accordingly, I find that the T2 Application discloses no reasonable cause of action and must therefore be dismissed.

¹ Subsection 29(2) of the *Residential Tenancies Act, 2006*.

It is ordered that:

1. The Tenant's T2 Application is dismissed.

January 28, 2026

Date Issued

Alexandre Traboulsi

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.