



**Order under Section 31
Residential Tenancies Act, 2006**

File Number: LTB-T-040376-24

In the matter of: 4503, 12 York Street
Toronto Ontario M5J0A9

Between: Dean Heffernan Tenant

And

Ahmad Shakil Landlord
Anjum Qadiri

Dean Heffernan (the 'Tenant') applied for an order determining that Ahmad Shakil and Anjum Qadiri (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- failed to meet the Landlords' maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on December 22, 2025.

The Landlord's Legal Representative Kevin Kok and the Tenant Dean Heffernan attended the hearing.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order.

Determinations:

1. At the hearing, I found that in order LTB-T-070296-22, issued on October 9, 2024, the Board determined that the Residential Tenancies Act, 2006 (the "Act") does not apply to the rental unit and the residential complex that are the subject of the present application.
2. The parties and premises identified in the present application are the same or materially the same as those addressed in order LTB-T-070296-22. The prior order is final, has not been set aside or varied on review or appeal, and remains in force.

3. The Tenant's present T2 and T6 applications seek remedies under the Act. Because the Board has already determined that the Act does not apply to this unit and complex, the Board lacks jurisdiction to grant the relief sought.
4. The prior determination that the Act does not apply is binding in this proceeding. The doctrines of issue estoppel and finality apply to prevent the re-litigation of the applicability of the Act between these parties concerning this unit and complex.
5. Given the Board's lack of jurisdiction under the Act with respect to this unit and complex, the Tenant's T2/T6 application is dismissed.

It is ordered that:

1. The application is dismissed.

February 4, 2026
Date Issued

Kyle Anderson
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.