



**Order under Section 57
Residential Tenancies Act, 2006**

File Number: LTB-T-046614-24

In the matter of: 508, 215 FORT YORK BLVD
TORONTO ON M5V4A2

Between: SANFORD SIDDALL Tenant

And

EUALEEN POWELL Landlord

And

MERCER CESAR FABRA Purchaser

SANFORD SIDDALL (the 'Tenant') applied for an order determining that EUALEEN POWELL (the 'Landlord') and MERCER CESAR FABRA (the 'Purchaser') gave a notice of termination in bad faith.

This application was heard by videoconference on February 3, 2026.

The Landlord's Legal Representative, Shikha Kapoor, Tenant's Legal Representative, Naseer Ahmed, and the Tenant attended the hearing.

Determinations:

1. At the outset of the hearing, I raised a preliminary issue with the Tenant.
2. Having reviewed the Tenant's application, I noted that the Tenant vacated the rental unit on June 1, 2023, and the application was filed with the Board on June 10, 2024, which was outside the one-year time limit as outlined under s.57(2) of the *Residential Tenancies Act, 2006* ("Act").
3. The Tenant testified that he attempted to file the application with the Board within the one-year time limit but was unsuccessful due to some delay.

4. As I pointed out at the hearing, s.29(2) of the Act states: "No application may be made under subsection (1) more than one year after the day the alleged conduct giving rise to the application occurred."
5. The section 57(2) of the Act also states: (2) No application may be made under subsection (1) more than one year after the former tenant vacated the rental unit. 2006, c. 17, s. 57 (2)
6. The application should be dismissed because this is not a deadline that the Board has the authority to extend or waive under the Act.
7. Therefore, the application should be dismissed as being out of time.

It is ordered that:

1. The Tenant's T5 application is dismissed.

February 10, 2026

Date Issued

Joy Xiao

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.