



Order under Section 31 Residential Tenancies Act, 2006

Citation: Lam v YEH, 2026 ONLTB 14025

Date: 2026-02-13

File Number: LTB-T-075239-25

In the matter of: 16, 88 SHEPPARD AVE E
NORTH YORK ON M2N0G9

Between: Wing Han Lam Tenants
Wing Ying Lam

And

Chih-Jung YEH Landlord

Wing Han Lam and Wing Ying Lam (the 'Tenants') applied for an order determining that Chih-Jung YEH (the 'Landlord'):

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenants.

This application was heard by videoconference on February 5, 2026. Only the Tenants attended the hearing.

As of 10:18am, the Landlord 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 hearing proceeded with only the Tenant's evidence.

Determinations:

1. As explained below, the Tenants did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed
2. The Tenant's application was filed on September 8, 2025. The application was filed pursuant to section 29(1) of the *Residential Tenancies Act, 2006* (the Act).
3. The rental unit is in a condominium. The Landlord owned / managed the single unit in question.

4. The Tenants moved into the rental unit on September 1, 2023, and vacated on August 31, 2025.

Illegal Entry:

5. The Tenant's application claims that on May 22, 2025, the Landlord's parents visited the rental unit with unknown individuals. The Tenants believe these unknown individuals to have been prospective tenants and/or their real estate agent.
6. The Tenants confirmed that on May 20, 2025, the Landlord provided them with notice of entry. The Tenants also confirmed that on May 19, 2025, that the Landlord advised them that they were considering selling the property and that on this date, the Tenants advised the Landlord that they would be moving out of the rental unit on or before August 31, 2025. The Tenants further confirmed that they consented to the Landlord's parents entering the rental unit prior to and at the time of the entry date.
7. Section 26(1)(b) of the Act states that a landlord may enter the rental unit without the required notice under the Act if the tenant consents to the entry at the time of the entry.
8. Based on the evidence and submissions before the Board, I find that the Tenants consented to the Landlord's entry of the rental unit and therefore no illegal entry was committed by the Landlord.

Substantial Interference & Harassment:

9. The portion of the Tenant's application alleging substantial interference and harassment is based on the fact that the Landlord advised them that they would be selling the rental unit, that the Tenants vacated the rental unit in accordance with this information and that the Landlord re-rented the unit as opposed to having a purchaser occupy the rental unit.
10. The Tenant's application also raises concerns with the Landlord not paying them compensation equal to one-months rent as required by section 49.1 of the Act.
11. The Tenant's application before the Board is not a T5 application pursuant to section 57 of the Act asserting that the Landlord gave a notice of termination in bad faith nor is it a T1 application filed pursuant to section 135 of the Act asserting that the Landlord retained money illegally.
12. Further, the evidence before the Board is that the Tenants wilfully vacated the rental unit after discussions with the Landlord about the rental unit being sold and not that the Tenants were coerced into vacating.
13. As such, I am not satisfied that the Landlord has breached sections 22 or 23 of the Act and therefore, this portion of the application must also be dismissed.
14. This Order contains all the reasons for this matter. No further reasons will issue.

It is ordered that:

1. The Tenant's application is dismissed.

February 13, 2026
Date Issued

Fabio Quattrociocchi
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.