



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-051614-25

In the matter of: 71 PANORAMIC DR
Sault Ste. Marie ON P6B5T5

Between: Elsie Uvie Oluku Tenant

And

Martin Harvey Landlord

Elsie Uvie Oluku (the 'Tenant') applied for an order determining that Martin Harvey (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on February 11, 2026.

Only the Tenant attended the hearing.

As of 9:14 a.m., the Landlord was not present or represented at the hearing and it was noted that the Landlord's Notice of Hearing had been returned as undeliverable. The Tenant further advised me that the address on the T1 application should say 71 Panoramic Drive, Sault Ste. Marie, Ontario and not 71 Panoramic Drive, Tilbury, Ontario. As such, I amended the address on the application to the correct address.

Preliminary Issue:

1. Although the Landlord was not in attendance due to the discrepancy with the incorrect address on the application, I brought up a preliminary issue with the Tenant. The Tenant's application stated that the tenancy ended on May 6, 2022 and this application was brought on June 24, 2025.
2. Section 135(1) of the *Residential Tenancies Act*, 2006 (hereinafter referred to as the "Act") states: "A tenant or former tenant of a rental unit may apply to the Board for an order that the landlord, superintendent or agent of the landlord pay to the tenant any money the person collected or retained in contravention of this Act." Further section 135(4) of the Act states: "No order shall be made under this section with respect to an application filed more than one year after the person collected or retained money in contravention of this Act."
3. I explained to the Tenant that any application under this section had to have been made by May 23, 2023 and because this application was only filed on June 24, 2025, the application will be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

February 17, 2026

Date Issued

Carrie Bertrand

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.