



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-003636-25

In the matter of: 2003, 103 THE QUEENSWAY
TORONTO ON M6S5B3

Between: Franco Gutta Tenant

And

Dan Yan Landlord

Franco Gutta (the 'Tenant') applied for an order determining that Dan Yan (the 'Landlord'):

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

This application was heard by videoconference on February 12, 2026. The Tenant, the Tenant's witness, Savanna Gutta, the Landlord and the Landlord's Agent, Hai Ying Lan, attended the hearing.

Determinations:

1. At the hearing, I noted that most of the allegations as pleaded in the Tenant's application occurred more than a year prior to the Tenant filing the application, which was on January 10, 2025.
2. Subsection 29(2) of the *Residential Tenancies Act, 2006* (the 'Act') states that an application cannot be made more than one year after the day the alleged conduct giving rise to the application occurred.
3. After explaining this to the Tenant, the Tenant sought to withdraw the application and I consented to the request.

It is ordered that:

1. The application having been withdrawn, the LTB's file is closed.

February 25, 2026

Date Issued

Rachel Gibbons

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.