



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-054027-25

In the matter of: Upper, 299 SENECA AVE
OSHAWA ON L1G3V7

Between: Lorrie Mullan
Allan Cleary
Tenants

And

Tatiana Gomonova
Landlord

Lorrie Mullan and Allan Cleary (the 'Tenants') applied for an order determining that Tatiana Gomonova (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on February 19, 2026.

The Landlord and the Tenants attended the hearing.

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 Tenants filed their T1 application on July 2, 2025. The T1 application neither indicated/checked off the reason for the application, nor provided any information in explaining the reason for the application. Other than the basic address and party data, there was no explanation of why the application was being filed.
3. The Tenants subsequently uploaded an amended T1 application to the portal on July 3, 2025. This amendment identified "Reason 2 – Illegal Charge" as the basis for the application and attached a Schedule A which included details about the Landlord allegedly failing to refund a \$250.00 key deposit.
4. The Landlord testified that she never received a copy of the amended T1 application.
5. A certificate of service for the amended T1 application was not filed with the Board
6. When asked at the hearing, the Tenants could not say with any certainty whether the amended T1 application had been served on the Landlord.
7. Rule 15.1 of the LTB Rules of Procedure states:

15.1 A request to amend an application before the hearing must be:

- a) in writing;
- b) served with the amended application to all other parties; and
- c) filed with LTB with the amended application and a completed Certificate of Service.

8. Based on the above, I am not satisfied that the Tenants complied with the requirements of Rule 15.1 in regard to the service of the amended T1 application. Accordingly, the request to amend the application is denied.
9. Applications must provide sufficient details to allow the opposing party to know the specific allegations being made so that the opposing party can be in a position to know the case that must be met. In making such determination, I considered *Ball v. Metro Capital Property* [2002] O.J. No. 5931 (Divisional Court) ("Ball v. Metro Capital"). The Court held that "Particulars should include, dates and times of the alleged offensive conduct together with a detailed description of the alleged conduct..."
10. In the case before me, the originally-filed application is entirely blank. The application lacks particulars as to the dates, times and occurrences that the Tenants intend to raise. The Tenants also fail to identify the remedies sought against the Landlord. As the Tenants' application is blank and fails to provide dates and specifics for the allegations made, I find that there is insufficient details and reasons to allow the Landlord to know the allegations made or the case to be met. As a result, the application shall be dismissed.

It is ordered that:

1. The Tenants' application is dismissed.

February 26, 2026
Date Issued

Curtis Smith
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.