



Order under Section 57 Residential Tenancies Act, 2006

File Number: LTB-T-040582-25

In the matter of: 1, 149 BROADWAY
ORANGEVILLE ON L9W1K2

Between: Leslie Muir Tenant

And

Andrew Scott Adams Landlord

Leslie Muir (the 'Tenant') applied for an order determining that Andrew Scott Adams (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on February 12, 2026.

The Landlord's legal representative, Alexia A. Meli and the Tenant attended the hearing.

Determinations:

Preliminary Issues-Named Party/Limitation Period

1. At the hearing, the Landlord's legal representative raised a preliminary issue that the Landlord named in the Application is not the same Landlord identified in the tenancy agreement, as the tenancy agreement names JHA Holdings Inc. as Landlord, whereas the application names Andrew Scott Adams in his personal capacity.
2. The Landlord's legal representative also raised the issue that pursuant to section 57(2) of *the Residential Tenancies Act 2006*, the Tenant did not file the application within one year of vacating the rental unit.
3. At the hearing, the Tenant confirmed she vacated the rental unit on July 15, 2023, and she filed her T5 application with the Board on May 20, 2025.
4. Section 57(2) of the *Residential Tenancies Act, 2006* (the 'Act') states the following:
No application may be made under subsection (1) more than one year after the former Tenant vacated the rental unit.
5. The wording of s. 57(2) of the Act is clear. A Tenant must file their T5 application within one year of the date they vacated the rental unit.

6. As a result of the one-year limitation period prescribed by the Act, the Board lacks jurisdiction to hear and determine the Tenant's T5 Application.
7. The T5 application is dismissed, as the Tenant did not bring the application within the limitation period required within the Act.

It is ordered that:

1. The Tenant's T5 application is dismissed. The Board's file is closed.

March 2, 2026

Date Issued

Christina Philp

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.