



Order under Section 31 Residential Tenancies Act, 2006

Citation: Lapish v Martin, 2026 ONLTB 27524

Date: 2026-04-02

File Number: LTB-T-030629-25

In the matter of: Basement, 262 5th Street East
Fort Frances ON P9A1T7

Between: Erik Lapish Tenants
Stephen Lapish

And

Anne-Marie Martin Landlord

Erik Lapish and Stephen Lapish (the 'Tenants') applied for an order determining that Anne-Marie Martin (the 'Landlord'):

- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenants replacement keys.

This application was heard by videoconference on March 31, 2026.

Only the Tenant, Erik Lapish, attended the hearing. The Tenant did not speak to Tenant Duty Counsel prior to the start of this proceeding.

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' application is brought pursuant to section 29 of the *Residential Tenancies Act, 2006* (the "Act"). Section 29(2) of the Act states that no application can be made under this provision more than one year after the day the alleged conduct giving rise to the application occurred. In *Toronto Community Housing Corp. v. Vlahovich*, [2010] O.J. No. 1463, the Divisional Court held that a remedy cannot go back further than the one-year limitation period in subsection 29(2). In other words, a remedy cannot go back further than one year before the application was filed.
3. In the present case, the Tenants filed their T2 application on March 31, 2025. The Tenant, Erik Lapish testified upon questioning, that the Tenants vacated the rental unit on

March 10, 2024, due to the Landlord's actions. The limitation period in section 29(2) prevents me from awarding a remedy in relation to any period prior to March 31, 2024, one year before the application was filed.

4. The allegations of breaches in the Tenants' application are prior to March 31, 2024, given the Tenants vacated the rental unit on March 10, 2024. Therefore, I find that the Tenants' claims enumerated above are out of time and application must be dismissed.

It is ordered that:

1. The Tenants' application is dismissed.

April 2, 2026
Date Issued

Panagiotis P. Roupas
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.