



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-098121-24

In the matter of: 610, 610 FARMSTEAD DR
MILTON ON L9T8X5

Between: Jinjin Liu Tenant

And

LING SU Landlord

Jinjin Liu (the 'Tenant') applied for an order determining that LING SU (the 'Landlord'):

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

This application was heard by videoconference on April 9, 2026.

The Landlord, the Landlord's representative, Yan Li, and the Tenant attended the hearing.

Determinations:

1. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed

Substantial interference

2. The Tenant filed the application with the Board on December 2, 2024. Her claim for substantial interference relates to the Landlord substantially interfering with her reasonable enjoyment of the rental unit by failing to provide her a notice of entry at least 24 hours prior to attending the rental unit on November 19, 2023.
3. Section 29(2) of the *Residential Tenancies Act* 2006 ('the Act') states:

Time limitation

(2) No application may be made under subsection (1) more than one year after the day the alleged conduct giving rise to the application occurred.

[Emphasis Added]

4. The Tenant's application was filed with the Board on December 2, 2024, and her claim for substantial interference was brought more than a year after the date of the alleged conduct occurred, therefore, violating section 29(2) of the Act. For this reason, I dismissed the substantial interference claim and proceeded with the harassment claim only.

Harassment, etc.

5. The Tenant's claim for harassment relates to a June 29, 2024 incident that involved an N12 notice of termination and an N2 notice of rent increase letter being served on her by the Landlord's legal representative. The Tenant testified that she was never paid the one-month compensation or offered any alternative accommodation. The parties agreed that the Landlord had withdrawn their application with the Board and never proceeded with the termination of the tenancy on that N12 notice. The parties further agreed that the Landlord filed an L2 application with the Board on that N12 notice, it was set to be heard by the Board on November 19, 2024, however the Tenant was notified the application was withdrawn on August 23, 2024. The Tenant testified that the N12 notice and N2 notice of rent increased impacted her mental health as the N2 notice increased the rent from \$2,550.00 to \$3,000.00.
6. I do not find that the Landlord serving an N12 notice, filing an application with the Board for eviction on that N12 notice and then withdrawing their application prior to the hearing rises to the level of harassment required to succeed in the Tenant's claim. I make this finding because the parties agreed that the Landlord had served the N12 notice, but realized it was defective and withdrew their application before the Board. The application was withdrawn approximately 3 months prior to the hearing date and only 5 weeks after it was filed with the Board.
7. I also do not find that the Landlord serving the Tenant with an N2 notice for exemption rent increase rises to the level of harassment required for the Tenant to be successful in her harassment claim. I make this finding because the parties agreed that the rental unit was exempt from guideline increases and that the Landlord had provided the Tenant with 90 day notice of rent increase. While I understand the Tenant was not agreeable to the rent increase going from \$2,550.00 to \$3,000.00, the Landlord was legally entitled to make this rent increase under section 6.1 of the Act.
8. Therefore, I find that the Landlord did not harass, obstruct, coerce, threaten or interfere with the Tenant.

It is ordered that:

1. The Tenant's application is dismissed.

April 27, 2026
Date Issued

Vishal Nanda
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.