



Order under Section 57 Residential Tenancies Act, 2006

Citation: Thompson v Moore, 2026 ONLTB 33033

Date: 2026-04-23

File Number: LTB-T-081828-25

In the matter of: 9 The Bridal Path
Clarington ON L1C3W1

Between: Lea Thompson Tenant

And

Justin Moore Landlord

Lea Thompson (the 'Tenant') applied for an order determining that Justin Moore (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on April 21, 2026. The Tenant and the Landlord attended the hearing.

Determinations:

1. The Tenant's T5 application was filed on September 29, 2025, and asserts that the Landlord gave a N12 notice of termination pursuant to section 48 of the *Residential Tenancies Act, 2006* (the Act) in bad faith.
2. The parties agreed at the hearing that the Tenant vacated the rental unit on September 15, 2024.
3. The Tenant's application was filed pursuant to subsection 57(1)(a) of the Act which states:

57 (1) The Board may make an order described in subsection (3) if, on application by a former tenant of a rental unit, the Board determines that,

(a) the landlord gave a notice of termination under section 48 in bad faith, the former tenant vacated the rental unit as a result of the notice or as a result of an application to or order made by the Board based on the notice, and no person referred to in clause 48 (1) (a), (b), (c) or (d) occupied the rental unit within a reasonable time after the former tenant vacated the rental unit
4. Subsection 57(2) of the Act states that "No application may be made under subsection (1) more than one year after the former tenant vacated the rental unit."

5. As the Tenant's application was filed more than one-year after the Tenant had vacated the rental unit, the Board does not have jurisdiction to consider the application or make a finding that the Landlord served the N12 notice in bad faith. The Tenant's application is effectively statute-barred.
6. As such, the Tenant's application must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

April 23, 2026

Date Issued

Fabio Quattrociochi

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.