



## **Order under Section 31 Residential Tenancies Act, 2006**

**File Number:** LTB-T-018684-25

**In the matter of:** 407, 173 KING ST N  
WATERLOO ON N2J4T5

**Between:** Mariya Khoroshun Tenant

**And**

Shaun McCracken Landlord

Mariya Khoroshun (the 'Tenant') applied for an order determining that Shaun McCracken (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.

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

The Landlord's Legal Representative Robert Rose and the Tenant Mariya Khoroshun attended the hearing.

### **Determinations:**

1. As explained below, the Tenant's application is dismissed.
2. A T2 application requires a tenant not only to identify the alleged breach of their rights, but also to specify the remedy or remedies sought from the Board. In this case, the Tenant did not request any remedies in the application. Although the application has been before the Board for approximately 12 months, the Tenant did not seek to amend the application to add any requested relief.
3. In these circumstances, there is no remedy properly before the Board for determination. As a result, the application cannot succeed and must be dismissed.

### **It is ordered that:**

1. The Tenant's application is dismissed.

**May 12, 2026**  
**Date Issued**

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Kyle Anderson  
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.