



Order under Section 57 Residential Tenancies Act, 2006

Citation: Sweeney v Wambulwa, 2026 ONLTB 32234

Date: 2026-06-02

File Number: LTB-T-073593-25

In the matter of: 244 RUSSELL ST S
SARNIA ON N7T3L8

Between: Joslynn Darlene Sweeney Tenants
Heather Darlene Sweeney

And

Judy Wambulwa Landlords
Charles Wambulwa

Joslynn Darlene Sweeney and Heather Darlene Sweeney (the 'Tenants') applied for an order determining that Judy Wambulwa and Charles Wambulwa (the 'Landlords') gave a notice of termination in bad faith.

This application was heard by videoconference on April 16, 2026.

The Tenants and the Landlords attended the hearing.

Determinations:

1. As explained below, the Tenants' application is dismissed
2. The Tenants filed their application with the Board on September 9, 2025.
3. At the hearing, the Board raised a preliminary issue with respect to the reasons for the application. The Tenants' application lacked specific details, including the dates/time, of events that occurred after the Tenants had vacated the rental unit that made the Tenants believe that the notice of termination was served in bad faith. Further, the remedies were also vague.
4. The Tenants claimed the basis for the application was that the Landlords' daughter did not move into the rental unit. No specific details were provided in the application pertaining to this claim. The Tenants also confirmed they vacated the rental unit on July 30, 2025.

5. Given the lack of specific details on the application with respect to issue of the Landlords daughter not moving into the rental unit, coupled with the vague remedies, the Board determined that the Landlords could not reasonably be expected to respond in these circumstances. Under subsection 57(2) the *Residential Tenancies Act, 2006*, no application may be made more than one year after the former tenant(s) vacated the rental unit. Since the Tenants vacated the rental unit on July 30, 2025, the Tenants would not be prejudiced by the dismissal, and they may wish to file a new application that includes specific details for grounds of the application and their remedies.
6. Accordingly, the Tenants' application is dismissed.
7. This order contains all the reasons for my decision within it. No further reasons shall be issued.

It is ordered that:

1. The Tenants' application is dismissed.

June 2, 2026
Date Issued

Inderdeep Padma
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.