

CANADA / JUDGMENT

CTCMPAO v. Yan

2026 ONCA 200

COURT

Court of Appeal for Ontario

DECIDED

17 March 2026

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CTCMPAO v. Yan Collection Decisions of the Court of Appeal Date 2026-03-17 Neutral citation 2026 ONCA 200 Docket numbers COA-25-CV-0147, M56607 Judges Huscroft, Grant; Zarnett, Benjamin; Pomerance, Renee M. Subject Civil Decision Content COURT OF APPEAL FOR ONTARIO CITATION: CTCMPAO v. Yan, 2026 ONCA 200 DATE: 20260317 DOCKET: COA-25-CV-0147 & M56607 Huscroft, Zarnett and Pomerance JJ.A. BETWEEN CTCMPAO* & Bahadur Applicants (Respondents/ Responding Party*) and Nathalie Xian Yi Yan Respondent (Appellant/ Moving Party) Nathalie Xian Yi Yan, acting in person Henry Ngan, for the respondent/responding party CTCMPAO Alicia Windsor, for the respondent Mahadai Bahadur Heard: March 11, 2026 On appeal from the judgment of Justice John Krawchenko of the Superior Court of Justice, dated January 16, 2025. REASONS FOR DECISION

- [1] The appellant appeals from an order declaring her to be a vexatious litigant. The application judge concluded, pursuant to s. 140 of the Courts of Justice Act, R.S.O. 1990, c. C.43, that the appellant had persistently, and without reasonable grounds instituted vexatious proceedings against the respondents, the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario, (the “College”) and Mahadai Bahadur.
- [2] The appellant argues that the application judge failed to consider certain aspects of the proceedings that led to the order. She takes issue with the application judge’s characterization of some of the proceedings and his application of the test under s. 140.
- [3] In our view, the reasons do not disclose any errors that would warrant appellate intervention.
- [4] It was open to the application judge to conclude that the requirements of s. 140 of the Courts of Justice Act were amply satisfied in the circumstances of this case. He considered the global history of litigation initiated by the appellant against the respondents and others. This consisted of multiple proceedings, multiple attempts to review unfavourable outcomes, and, when unsuccessful, the initiation of new proceedings dealing with the same subject matter. At the time of the application, the appellant had accrued \$161,000 in costs orders, which she had not paid.

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- [5] The application judge applied the correct legal test. He concluded that the proceedings were persistent; that they were instituted without reasonable grounds; and that the impugned conduct was vexatious.
- [6] There being no grounds for intervention, we dismiss the appeal. As such, it is unnecessary to address the College's motion to introduce fresh evidence or the appellant's motion for directions concerning the College's motion.
- [7] The respondent Mahadai Bahadur did not seek costs of the appeal. In accordance with the College's request, the appellant is to pay costs of the appeal to the College in the amount of \$2,500 all inclusive. The motions regarding fresh evidence are dismissed without costs. "Grant Huscroft J.A." "B. Zarnett J.A." "R. Pomerance J.A."
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