



Order under Section 30 and 31 Residential Tenancies Act, 2006

Citation: Jackson v Graziano, 2026 ONLTB 11920

Date: 2026-02-04

File Number: LTB-T-089136-24

In the matter of: BASEMENT, 71 KNOX AVE
TORONTO ON M4L2N8

Between: Royce Jackson Tenant

And

Kristian Graziano Landlord

Royce Jackson (the 'Tenant') applied for an order determining that Kristian Graziano (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.
- withheld or interfered with their vital services or care services and meals in a care home.

Royce Jackson (the 'Tenant') also applied for an order determining that Kristian Graziano (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on January 22, 2026.

The Landlord's legal representative David Ciobotaru, the Landlord, and the Tenant's legal representative Siobhan Rocks attended the hearing.

Determinations:

Preliminary Issues

1. The Tenant's representative requested an adjournment because the Tenant's representative was unable to reach the Tenant.
2. The Tenant's representative had communication from the Tenant in June 2025, and since the Friday prior to the hearing the Tenant's representative made diligent attempts to reach the Tenant.
3. Further submissions were made that the Tenant's representative has left voicemails and is confident that the messages are being left for the Tenant.
4. The Tenant's representative also submits that they forwarded a copy of the notice of hearing and have not had contact from the Tenant.

5. The Landlord's representative opposed the adjournment and submitted that an adjournment would cause undue prejudice.
6. The Board's Interpretation Guideline 1 sets out considerations in relation to adjournments:

Where the Member is satisfied that the party has received sufficient notice of the hearing and has been provided with an adequate opportunity to prepare their evidence and submissions, summons witnesses and obtain counsel ahead of the hearing date, an adjournment is not usually granted unless there are exceptional circumstances.

The specific factors the Member may consider in deciding whether to grant an adjournment include:

- the reason for the adjournment and position of the parties;
 - the issues in the application;
 - any prejudice that may result from granting or denying the request;
 - the history of the proceeding including other adjournments or rescheduling;
 - the LTB's obligation to adopt the most expeditious method of determining the questions arising in a proceeding that affords to all persons directly affected by the proceeding an adequate opportunity to know the issues and be heard on the matter.
7. I was not satisfied an adjournment was appropriate in the circumstances. These are the Tenant's own applications, and the Tenant had not contacted their representative since June 2025. Despite the suggestion there may have been some communication in November, 2025, the Tenant has made no effort to contact or engage with their representative since that time.
 8. The Tenant made no efforts to connect with their representative and did not attend the hearing to advance their own applications. Accordingly, the Tenant's request to adjourn was denied.
 9. The Tenant's representative requested to be removed as the representative for the Tenant. A copy of the notice of hearing was provided to the Tenant by their representative and the Tenant did not attend the hearing. I was satisfied that the Tenant's representative made reasonable efforts to serve the Tenant with the notice of hearing and to advise them of the hearing date. Siobhan Rocks is removed as the Tenant's representative.
 10. Since the Tenant did not attend the hearing to support their application, I find that this application has been abandoned.

It is ordered that:

1. The Tenant's applications are dismissed.

February 4, 2026
Date Issued

Kyle McGraw
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.