



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-054200-25

In the matter of: 617, 24 MABELLE AVE
ETOBICOKE ON M9A4X8

Between: David Albites Tenant

And

Wilstar management ltd Landlord

David Albites (the 'Tenant') applied for an order determining that Wilstar management ltd (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on February 5, 2026.

The Landlord's Legal Representative Shelby Whittick and the Tenant attended the hearing.

Determinations:

1. At the outset of the hearing the Landlord's Legal Representative requested that the Tenant's Application be dismissed as it failed to provide adequate particulars to allow the Landlord to know the case to be met.
2. Ball v. Metro Capital Property, [2002] O.J. No. 5931 ("Ball") dictates that notices must provide sufficient details to allow the opposing party to know the specific allegations being made so that the opposing party can be in a position to know the case that must be met.
3. The court in Ball indicates that that: "Particulars should include, dates and times of the alleged offensive conduct together with a detailed description of the alleged conduct...". While Ball concerned a notice of termination served to a Tenant, it is my view that the same principles regarding the necessity of particulars also applies to Tenant applications.
4. The Tenant's Application is largely blank, while the Landlord and Tenant are identified, there are no reasons selected, and no remedies sought.
5. The Tenant has submitted this largely blank Application, along with a notice of rent increase, while it could be inferred that the Tenant disputes the rent increase this is not indicated in the Application which does not provide a reason for filing, or an amount the Tenant believes they have been overcharged.

6. Therefore, I am not satisfied that the Tenant's Application contains adequate particulars to allow the Landlord to know the case to be met, and the Application shall be dismissed.

It is ordered that:

1. The Tenant's Application is dismissed.

February 13, 2026

Date Issued

Reid Jackson

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.