



Order under Section 31 Residential Tenancies Act, 2006

Citation: Hartwick v Celik, 2026 ONLTB 18007

Date: 2026-03-04

File Number: LTB-T-071075-24

In the matter of: MAIN - 1077 LOMBARDY STREET
KINGSTON ON K7M8M6

Between: Jocelyn Hartwick
Ryan Denesuik
Tenants

And

Fesih Celik
Landlord

Jocelyn Hartwick (the 'Tenants') applied for an order determining that Fesih Celik (the 'Landlord'):

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenants.

This application was heard by videoconference on December 8, 2025.

The Landlord, the Landlord's Representative, Linda Flores, the Landlord's Agent, Omer Celik, and the Tenants attended the hearing.

Preliminary Issue:

1. The parties agreed to amend the application to add Ryan Denesuik as a Tenant as he is listed in the tenancy agreement.
2. The parties also agreed to amend the application to remove Omer Celik as a landlord as he is the Landlord's agent.
3. Based on the submissions of the Landlord and the Tenants, I consented to the request, pursuant to section 200(1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 15.4 of the Board's Rules of Procedure.

Determinations:

4. At the hearing, the Landlord's representative submitted that the allegations contained in the applications are unclear and that the Landlord has been put in the unfair position of having to respond to applications containing allegations that the Landlord has no understanding of what the issues are, and no valid dates were included or any vague dates were beyond the 12 month limitation period pursuant to section 29 of the Act. In addition, the Tenants have been given ample time to correct their application. Accordingly, the Landlord's representative submitted that the Tenants' T2 application should be dismissed.
5. The Tenants testified that they believed that they could speak to specific issues at the hearing because there was not enough space in the application to provide a detailed description.

Analysis

6. Applications must provide sufficient detail 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 and determine whether to raise a defence. Natural justice and procedural fairness require nothing less.
7. MacDougall J. wrote in *Ball v. Metro Capital Property*, [2002] O.J. No. 5931 that, "Particulars should include dates and times of the alleged offensive conduct together with a detailed description of the alleged conduct..." While this case involved a notice of termination served to a tenant, in my view, the case supports the principles of procedural fairness regarding the need for particular and details to permit one to know the case against them, which applies equally to tenant applications.
8. These principles are confirmed in the Court which states that the various purposes for requiring a party to provide reasons and details include the responding party's need "to know the specific allegations made so that she/he can be in a position to know the case that must be met; to decide whether to dispute the allegations made before the Tribunal; and to consider whether to stop the conduct or activity or correct the omission..."
9. In the matter before me, I find that the application was not only unclear as to what the Tenants' issues were but did not contain sufficient information to provide any detail to the Landlord to understand the claim being made with valid dates. I note that, the application was filed October 11, 2024, and the Tenants were provided sufficient time of 14 months to obtain legal advice about the application, and the opportunity to amend the application to include further information and clarity.
10. As a result, I am satisfied that the lack of details provided in the application was not sufficient for the Landlord to understand the case to be met and to make a decision concerning whether or not to dispute the allegations at a hearing. I also find that the Tenants have been given sufficient time to amend the application. As such, the Tenants' application will be dismissed.

It is ordered that:

1. The Tenants' application is dismissed.

March 4, 2026

Date Issued

Colette Myers

Member, Landlord and Tenant Board

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