



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-090788-24

In the matter of: 1, 141 DUKE ST E
NORTH BAY ON P1B1R2

Between: Sonja Kanaar Tenant

And

Dan Merjo Landlord

Sonja Kanaar (the 'Tenant') applied for an order determining that Dan Merjo (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 December 8, 2025. The Landlord, the Landlord's Representative, Kelly Hawkes, and the Tenant attended the hearing. Craig Murray and Jim Stewart also attended the hearing as the Landlord's witnesses.

Determinations:

1. At the hearing, the Landlord's representative raised preliminary issues, including 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. In addition, the Tenant sent an email to the representative about an amendment filed on December 1, 2025, but there was nothing attached, and the LTB portal was blank. The Landlord's representative also stated there were a several previous 'Request to Amend the Application' items filed on the portal and that none of them was a valid amendment, and they were either individual photos or empty attachments. As such, the Landlord takes the position that the Tenant has been given ample time to correct her application having been filed over a year ago and has failed to do so. Further, she stated the application fails to reflect any specific monetary relief in the requested remedies, and that the other remedies are unclear and moot as the tenancy terminated on August 7, 2024. Accordingly, the Landlord's representative submitted that the Tenant's T6 application should be dismissed.
2. The Tenant admitted that she received legal advice and some assistance from the local legal clinic. She stated she had some issues with uploading documents to the portal and said her son assisted her with some of the documents.

Analysis

3. 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.
4. 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.
5. 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..."
6. In the matter before me, the application was not only unclear as to what the Tenant's issues were but did not contain sufficient information to provide any detail to the Landlord to understand the claim being made with valid dates nor any clear remedies that the Board can order as the tenancy terminated. Having said that, the parties were before the Board in past, and while I have no doubt that the Landlord may have been aware of the issues raised, the remedies were unclear and there was no monetary claim included. I note that the application was filed November 5, 2024, and the Tenant received legal advice about the matter so that the Tenant was provided adequate time and opportunity to amend the application to include further information and clarify the remedies.
7. 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 or the remedies being sought. I also find that the Tenant has been given sufficient time to amend the application. As such, the Tenant's application will be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

February 26, 2026
Date Issued

Colette Myers
Member, Landlord and Tenant Board

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