



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-005162-24

In the matter of: 1332 Seagull Dr
Mississauga ON L5J3T7

Between: Arek Aniolowski Tenant

And

Sanaa and Elias Elten Landlord

Arek Aniolowski (the 'Tenant') applied for an order determining that Sanaa and Elias Elten (the 'Landlord'):

- entered the rental unit illegally.
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.

This application was heard by videoconference on February 26, 2026.

The Landlord, the Landlord's representative, Barrett Beaudoin, and the Tenant attended the hearing.

Determinations:

1. For the reasons set out below, I find the Tenant's application does not contain sufficient particulars for the LTB or the Landlord to understand the allegations made against the Landlord. In addition, I find the Tenant failed to comply with an interim order directing him to amend his application in accordance with the LTB's Rules.
2. At the hearing, the Landlord representative raised a preliminary issue in regard to the Tenant's application lacking particulars for the Landlord to know the case to be met. The Landlord submitted into evidence an interim order issued by the Board on July 2, 2025, in which the presiding Member, in paragraph 4, makes a determination that the Tenant is aware of potential deficiencies with the application. In paragraph 5 of the July 2, 2025 interim order, the presiding Member determined that the Tenant may amend the

application to address specifics to the claims up to the period ending on December 31, 2024. The presiding Member also ordered that the Tenant make any amendments to their application by July 31, 2025.

3. I asked the Tenant if they had filed an amendment application with the Board as I did not see one on the portal. The Tenant submitted that they did in fact file an amended application by the July 31, 2025 deadline. The Tenant then referred me to his amended application, which can be found on the portal at Document ID: 6106946 which is titled "Updated brief with a new table of contents". The Tenant had incorrectly uploaded this document as "evidence" rather than an amendment and also titled it incorrectly, which is what caused the confusion.
4. I stood the matter down for approximately 30 minutes while I went over the Tenant's "amended application". When I returned, I noted that the amended application had still lacked particular details for the Landlord to know the case to be met and a significant portion of the amendments claimed were out of time in accordance with section 29(2) of the Act.
5. The Divisional Court has held that in order to be considered, a claim must have sufficient details or particulars, including dates and times of the alleged offensive conduct, together with a detailed description of the alleged conduct complained of, to allow the person against whom the claim is made to know the case to be met and to prepare for the hearing accordingly. (Ball v. Metro Capital Property, [2002] O.J. No. 5931).
6. Although the Ball case related to the details required in a landlord's notice of termination, it reflects the general principles of procedural fairness, which include a party's right to know the case to be met. I cite the Ball case solely for this principle as I find it applies equally to tenant applications. The legal principles of fairness and natural justice demand that a party has a right to know the case against them and that they be provided sufficient details of the issues to determine whether to defend the claim.
7. As it pertains to the Tenant's T2 Application, the Tenant had ample time to correctly amend their application as it was first filed on January 19, 2024. Although there may be some issues within time in the application, the Tenant's failure to amend their application and file it with the Board correctly make it difficult to locate in their pleadings. I find that the Tenant's amended application was provided in such a fashion that it did not comply with the interim order.
8. Therefore, the Tenant's application is dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

April 8, 2026
Date Issued

Vishal Nanda
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.