



**Order under Section 30 / 31
Residential Tenancies Act, 2006**

File Number: LTB-T-041525-23

In the matter of: 32 CRAIGTON DRIVE UNIT B-1
SCARBOROUGH ON M1L2N7

Between: Syed Nizami Tenant

And

DD Acquisitions Partnership Landlord

Syed Nizami (the 'Tenant') applied for an order determining that DD Acquisitions Partnership (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
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.

This application was heard by videoconference on February 11, 2026.

The Landlord's Representative, Lavinia Volney, the Landlord's Agent, Charu Raheja, the Tenant's Representative, Muhammad Abrar, and the Tenant attended the hearing. Lanie Mijares also attended the hearing as the Landlord's witness.

Determinations:

1. The Tenant filed the application on July 3, 2023. The matter was first adjourned on October 23, 2024, on consent of the parties.
2. The matter was further adjourned on April 3, 2025, because the Landlord consented to the Tenant's adjournment request.
3. The matter was adjourned for a third time on September 4, 2025, because the Tenant arrived late due to illness and requested an adjournment on that basis. At the hearing, the member suggested that the Tenant may want to address the lack of details in the applications, and an interim order was issued as a result.

4. LTB-T-041525-23, dated September 10, 2025, stating that “the Tenant may wish to address what may be considered insufficient details in the applications prior to the next hearing date”, as well included instructions with respect to submitting evidence to the LTB and the Landlord.
5. 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. In addition, the Tenant has been given ample time to correct his application as this is the fourth time the parties have been before the Board. Accordingly, the Landlord’s representative submitted that the Tenant’s T2/T6 application should be dismissed.
6. The Tenant admitted that he received the interim order and did not file an amendment with the LTB to clarify the issues. The Tenant further testified that he retained a representative on or about January 28, 2026, and his representative said that the applications needed to be amended, but no reasons were given as to why any amendments were not submitted.
7. The Tenant’s representative testified that he believed he could include dates in their disclosure documents to clarify the issues.

Analysis

8. 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.
9. 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.
10. 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...”
11. 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, even after the Tenant was provided the opportunity to amend their application. I note that, the matter was adjourned 4 times previously so that the Tenant was provided an opportunity to amend the application to include further information and clarity.

12. 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 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.

April 29, 2026

Date Issued

Colette Myers

Member, Landlord and Tenant Board

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