



Order under Section 31 Residential Tenancies Act, 2006

Citation: Brown v Subedar, 2026 ONLTB 35106

Date: 2026-05-05

File Number: LTB-T-103824-25

In the matter of: B7, 19 BENJAMIN ST
BELLEVILLE ON K8P1P6

Between: Obrian Brown Tenant

And

Mohammed Subedar Landlord

Obrian Brown (the 'Tenant') applied for an order determining that Mohammed Subedar (the 'Landlord') substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household and withheld or interfered with their vital services or care services and meals in a care home.

This application was heard by videoconference on March 19, 2026.

The Landlord, the Landlord's legal representative Ian MacInnis and the Tenant attended the hearing.

Determinations:

1. As explained below, the Tenant's application is dismissed
2. The Tenant filed their application with the Board on December 8, 2025. The facts provided in the application referenced lack of hot water and issues pertaining to pest infestations. On March 4, 2026, the Tenant filed an amendment to his application which involved uploading a document with the Board that outlined new issues pertaining to dog feces and garbage at the rental unit/residential complex. No detailed facts were provided on these applications. In other words, both the application, and the amended application, lacked specific details pertaining to dates/time of when the issue arose, and when the Tenant advised the Landlord of the issues. Further, the amendment did not contain any remedies the Tenant sought pertaining to the new issue that were raised.
3. At the hearing, the Landlord's legal representative advised that both the application and the amended application lack specific details, is confusing (difficult to understand), and that the Landlord does not understand the timeline – which I understood to mean, the Landlord

does know the date range governing the issues. He further claimed that the Tenant has not served their evidence to the Landlord.

4. The Tenant claimed that he had served his evidence to the Landlord and relied on a copy of a text message filed with the Board to substantiate his claim. In this text message, the Landlord is expressing difficulty with obtaining the Tenant's evidence as the Landlord is not familiar with technology. It was clear based on this documentary evidence that the Landlord did not receive the Landlord's disclosure. The Tenant did not provide sufficient evidence whether he had served the Landlord via an alternative method of service with the evidence that he intended to rely on at the hearing. Thus, I was not satisfied on balance of probabilities that the Tenant had disclosed their evidence to the Landlord.
5. Considering the submission of the parties, the Board determined it was appropriate to dismiss the Tenant's application. Both the application, and the amended application, are missing specific details to allow the Board and the Landlord to assess when the alleged events occurred, and whether the original application has been filed prior to the expiration of the limitation period as set out in subsection 29(2) of the *Residential Tenancies Act, 2006* (the 'Act'). The Tenant also did not disclose their evidence. Due to the lack of specific details in these applications and the absence of the disclosure of the Tenant's evidence, the Landlord could not reasonably be expected to respond in these circumstances and does not know the case to be met. The Tenant claimed that his issues are still ongoing. Accordingly, the Board determined that the Tenant would not be prejudiced by the dismissal as they may wish to file a new application that includes specific details for grounds of the application.
6. For the above noted reasons, the Tenant's application is dismissed.
7. This order contains all the reasons for my decision within it. No further reasons shall be issued.

It is ordered that:

1. The Tenant's application is dismissed.

May 5, 2026
Date Issued

Inderdeep Padda
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.