



Order under Section 30 Residential Tenancies Act, 2006

File Number: LTB-T-054264-25

In the matter of: 422, 410 Queens Quay west
Toronto ON M5V3T1

Between: Andrew Nimeck Tenant

And

Alexandra Hunnings Klein Landlord

Andrew Nimeck (the 'Tenant') applied for an order determining that Alexandra Hunnings Klein (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 March 24, 2026.

The Landlord Alexandra Hunnings Klein, Landlord's Legal Representative Elaine Page, and the Tenant Andrew Nimeck attended the hearing.

Determinations:

1. As explained below, the Tenant's T2 application is dismissed for lack of particulars.
2. The Tenant filed the T6 application with the Board on June 25, 2025. The application lists that 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. However, the Tenant failed to provide further clarification on the particulars of the case such as dates, times, or who was notified of the maintenance issues.
3. When I raised the above preliminary issue with the Tenant, the Tenant submitted that a Schedule "A" containing further particulars had been attached to the T6 application but appears to have disappeared, and that the Tenant had also emailed the Board numerous times about the maintenance issues. However, there is no Schedule "A" or other supporting material in the Board's file, the application itself does not reference any attached schedule, and the Tenant provided no documentary evidence that such a schedule or any emails containing particulars were ever filed with the Board or served on the Landlord. On the evidence before me, I find on a balance of probabilities that no Schedule "A" was filed with the application and that the application, as filed, contains insufficient particulars.

4. In *Ball v Metro Capital Management Inc.* [2002] OJ No 5931 (Div Crt), the Divisional Court considered subsection 43(2) of the Act and found that the purpose of requiring that a landlord provide reasons and details in a notice was to: (a) allow the tenant to be in a position to know the case to be met; (b) allow the tenant to decide whether or not to dispute the allegations made by the landlord; and, in the case of a voidable notice, and (c) allow the tenant to stop the conduct or activity or correct the omission. Thus, to comply with subsection 43(2) of the Act, a notice should include the dates and times of the alleged conduct, together with a detailed description of the alleged conduct.
5. While *Ball* dealt with a notice of termination under s. 64 of the Act, I find that the test applies equally to tenant applications, including those brought under section 30 of the Act.
6. I find that the T6 application lacked the specific detailed information needed to put the Landlord on notice to know the case to be met in preparation of the hearing. The Landlord cannot be expected to respond to vague allegations on an application. It would be unfair to the Landlord to learn of the details for the first time at the hearing. Therefore, the application must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

May 5, 2026
Date Issued

Kyle Anderson
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

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