



Order under Section 31 Residential Tenancies Act, 2006

Citation: Rizzi v Hibrant, 2026 ONLTB 37380

Date: 2026-05-08

File Number: LTB-T-101860-25

In the matter of: 2 & 3, 157 Gibson Ave
HAMILTON ON L8L6J9

Between: Jaclyn Haley Rizzi Tenant

And

Andrew Hibrant Landlord

Jaclyn Haley Rizzi (the 'Tenant') applied for an order determining that Andrew Hibrant (the 'Landlord'):

- entered the rental unit illegally.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

An Adjudicative Case Conference (ACC) was held by videoconference on May 6, 2026.

Only the Tenant attended the ACC.

The Tenant declined to speak with Tenant Duty Counsel.

As of 9:38 am, the Landlord was not present or represented at the ACC although properly served with notice of this ACC by the LTB. There was no record of a request to adjourn the ACC. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. As explained at the ACC, the Tenant's application lacks the required particulars as set out in the application. The Tenant's application does not specify dates and times of the alleged incidents referred to in the application.
2. The need for sufficient reasons and details was addressed by the Divisional Court decision *Ball v. Metro Capital Property*, [2002] O.J. No. 5931. *Ball v. Metro Capital Property* stands for the proposition that the kinds of particulars that should be contained in a notice include "dates and times of the alleged offensive conduct together with a detailed description of the alleged conduct engaged in by the tenant".

3. While the notice of termination in *Ball v. Metro Capital Property* was a N5 notice of termination and not a Tenant's application as it is in this case, the principle remains the same. The purpose of providing these details is not only to inform a landlord but to allow them to respond to the application.
4. Given the reasons above, the Tenant's application is dismissed.
5. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Tenant's application is dismissed.

May 8, 2026
Date Issued

Dana Wren
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.