



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-032213-25

In the matter of: 2017 grovetree lane
Burlington ON L7R4V5

Between: Amir Saeed Malik Tenant

And

Saied Girgis Landlord

Amir Saeed Malik (the 'Tenant') applied for an order determining that Saied Girgis (the 'Landlord') harassed, obstructed, coerced, threatened or interfered with the Tenant.

An Adjudicative Case Conference ('ACC') was held by videoconference on May 6, 2026. The Landlord and the Landlord's Legal Representative, Mona Gobran, attended the hearing. Thana Girgis also attended the ACC as an unnamed landlord party.

As of 10:16 a.m., the Tenant was not present or represented at the ACC although properly served with notice of the ACC by the LTB. There was no record of a request to adjourn the ACC.

Determinations:

1. Since the Tenant did not attend the ACC to support their application, I find that this application has been abandoned.
2. The Landlord's Legal Representative sought an order for costs as the Landlord incurred legal costs for the preparation and attendance at the ACC. She stated that she was not aware of any reason the Tenant did not attend the ACC and that she had not heard from the Tenant.
3. The Landlord's Legal Representative submitted that she spent three hours reviewing the file and preparing and filing the Landlord's evidence. She also had been signed in and in attendance waiting for the ACC for approximately 2 hours. Her rate is \$400.00 per hour.
4. The Board may require a party, a party's agent or a party's legal representative to pay, as costs, any representation or preparation expenses of another party where the conduct of the party, a party's agent or a party's legal representative was unreasonable. Conduct is unreasonable if it causes undue expense or delay and includes, but is not limited to, the following:

- failing to take necessary steps, such as those required by the RTA or Rules;
 - failing to prepare adequately for the hearing;
 - failing to follow a procedural order or direction such as an order to serve another party with a document; and
 - delaying the hearing by not taking actions required in the Rules.
5. The Board's Rules of Procedure state that, where the Board orders a party to pay the representation or preparation fees incurred by another party, these fees shall not exceed \$100 per hour for the services of a paid representative to a maximum of \$700.
6. The Notice of Adjudicative Case Conference is clear that the parties must attend. Were it not for the Tenant filing an application against the Landlord, the Landlord and their Legal Representative would not have to attend the ACC. As the applicant, the Tenant has an obligation to follow the Board's process in pursuing their claims against the Landlord. By not attending the ACC, I find that the Tenant has abandoned the Board's process and caused undue expense to the Landlord.
7. That said, the application is not overly lengthy or complex. I note that several documents were filed with the Board by the Landlord's Legal Representative. The documents did not appear to be organized or assembled into a document brief in accordance with the Board's Practice Direction on Evidence and the Landlord's Legal Representative confirmed that they were not served on the Tenant. This is to say that I accept that some time and effort was taken by the Landlord's Legal Representative to prepare for the ACC. However, it appears to be somewhat minimal.
8. Accordingly, I find it appropriate in the circumstances to order costs of \$200.00. This is for two hours of paid representation to prepare for and attend at the ACC.

It is ordered that:

1. The Tenant's application is dismissed.
2. The Tenant shall pay costs to the Landlord in the amount of \$200.00 on or before May 23, 2026. If the Tenants fail to pay this amount, the Tenants will start to owe interest, commencing May 24, 2026, at the rate of 4.00% per annum.

May 12, 2026
Date Issued

Rachel Gibbons
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.