



Order under Section 30 and 31 Residential Tenancies Act, 2006

File Number: LTB-T-008591-25

In the matter of: 27, 238 HWY 8
Stoney Creek ON L8G1E1

Between: Carl Williams Tenants
Dianne Balint

And

The Valley Group, Valery Properties Landlord

Carl Williams and Dianne Balint (the 'Tenants') applied for an order determining that The Valley Group, Valery Properties (the 'Landlord'):

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenants.
- 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 May 25, 2026.

The Landlord's representative, Kelly Hawkes, the Landlord's agents, Tina Novak and Monique Rouse, and the Tenants attended the hearing.

Determinations:

T2 application:

1. As explained below, the Tenants did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.

Illegal entry

2. In their application, the Tenants alleges that on September 23, 2024, the Landlord entered the rental unit with a contractor without providing the required 24 hours' notice.

3. The Landlord's representative submitted that the September 23, 2024 incident falls within the limitation period under section 29(2) of the Act, but argued that the Tenants did not select any remedy related to this allegation. The Tenants confirmed that their requested remedies were not connected to the illegal entry claim. As a result, the illegal entry issue is moot. Even if the Tenants had succeeded on this claim, no remedy could be granted due to their failure to request one. The matter was initially heard by the Board on August 7, 2025, at which time the Tenants had an opportunity to amend their application to include a remedy for the alleged illegal entry but did not do so. Accordingly, the illegal entry claim is dismissed.

Substantial interference

4. I raised a preliminary issue in regard to the Tenants' substantial interference claim. Specifically, the Tenants' claim relates to a December 19, 2023 incident. The Tenants' application was filed on January 29, 2025, which means the Tenants' brought the claim before the Board outside of the time limitation set under section 29(2) of the Act.

5. Section 29(2) of the Act states:

Time limitation

(2) No application may be made under subsection (1) **more than one year after the day the alleged conduct giving rise to the application occurred.** 2006, c. 17, s. 29 (2).

[Emphasis Added]

6. The December 19, 2023 incident occurred more than one year prior to application filing date and therefore, the Board has no jurisdiction to hear this claim. Therefore, the substantial interference claim is dismissed.

Harassment, etc.

7. The Tenants' application also claimed that the Landlord and or the Landlord's agents harassed them. However, the Tenants failed to provide any particulars related to their harassment claim.
8. In *Ball v Metro Capital Management Inc.* [2002] OJ No 5931 (Div. Ct), 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 Tenants to **be in a position to know the case to be met**; (b) allow the Tenants 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 Tenants 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.
9. While *Ball* dealt with a notice of termination under s. 64 of the Act, I find that the **principles** in *Ball* also apply to Tenants applications. In this case, the Landlord was not given enough specific information to know how to adequately defend the Tenants' claims.

10. When I raised the above as a preliminary issue with the Tenants, they did not dispute that details were omitted from the application, specifically dates and times of the events that gave rise to the application. I find that the T2 application lacked the detailed information needed to put the Landlord on notice and 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, I find that the Tenants' harassment claim must be dismissed.

T6 Application:

11. The Landlord's representative raised a preliminary issue regarding the Tenants' T6 application. In particular, the application included claims dating back to 2012, which fall outside the limitation period prescribed by section 29(2) of the Act. Although some issues were within the applicable limitation period, the Tenants did not select any remedies in relation to those claims. Consequently, even if the Tenants had been successful, no remedy could have been awarded. The application proceeded to a case conference before the Board on August 7, 2025, at which time the Tenants were given an opportunity to amend their application to include remedies for the claims within the limitation period. However, they did not do so.
12. Therefore, I am dismissing the Tenants' T6 application, as it does not include any specified remedy for the alleged breaches.

It is ordered that:

1. The Tenants' application is dismissed.

June 1, 2026
Date Issued

Vishal Nanda
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.