



Order under Section 31 Residential Tenancies Act, 2006

Citation: Reguillo v Wijesekara, 2026 ONLTB 47188

Date: 2026-06-17

File Number: LTB-T-007796-25

In the matter of: 1604, 50 Gordon Ridge
Scarborough ON M1K4H8

Between: Juan Carlos Reguillo Tenant

And

Achala Wijesekara Landlord

Juan Carlos Reguillo (the 'Tenant') applied for an order determining that Achala Wijesekara (the 'Landlord'):

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

This application was heard by videoconference on June 4, 2026.

The Landlord's Representative, Lee-Ann Thibeault, the Landlord's Agent, Achala Wijesekara, and the Tenant attended the hearing. The Tenant also had an Interpreter present, Oscar Piedrasanta.

Determinations:

1. The Board received numerous post-hearing submissions from the Tenant. As they were unsolicited and post-hearing, they have not been considered in my determinations.
2. As explained below, the Tenant's application did not contain sufficient details or name the proper Landlord and therefore is dismissed.
3. The Divisional Court has held that in order to be considered, a claim must have sufficient details or particulars, including dates and times of the alleged offensive conduct, together with a detailed description of the alleged conduct complained of, to allow the person against whom the claim is made to know the case to be met and to prepare for the hearing accordingly. (*Ball v. Metro Capital Property*, [2002] O.J. No. 5931).

4. Although the *Ball* case related to the details required in a landlord's notice of termination, it reflects the general principles of procedural fairness, which include a party's right to know the case to be met. I cite the *Ball* case solely for this principle as I find it applies equally to tenant applications. The legal principles of fairness and natural justice demand that a party has a right to know the case against them and that they be provided sufficient details of the issues to determine whether to defend the claim.
5. In this case, the parties were before the Board on August 18, 2025, for an Adjudicative Case Conference ("ACC") and the Tenant was informed that he had improperly named an employee as the Landlord instead of the actual Landlord, Toronto Community Housing Corporation, and that his application needed to be amended.
6. An interim order was issued on August 20, 2025, highlighting the improperly named Landlord. Furthermore, the order indicated at paragraph 3 of the order section that the Tenant had until October 5, 2025, to amend his application to change who was listed as the Landlord, provide dates of the events, clarify claims, or for any other reasons and that failure to do so may result in claims being dismissed.
7. The Tenant did not make any amendments to his application. As such, the Tenant's application remains as it was originally filed. For example, reason 4 is checked off and the explanation says only "Superintendente and other tenants". The other reasons are equally brief with no dates or details.
8. The Landlord's Representative confirmed that an amended application was never received by the Landlord and Toronto Community Housing Corporation was never properly named as the Landlord on the application. The Landlord's Representative provided that as the application stands first, the proper Landlord is not named and therefore cannot properly respond. Second, there are insufficient details contained in the application for the Landlord, whether properly named or not, to be able to know the case to be met and to properly respond.
9. The Tenant testified that he did not amend the application because he was told at the ACC that the Board was going to send him a "form" to change his application and was waiting for the "form" to change the application and he never received it. But he was supposed to provide all the evidence he had for his claims before the hearing, and he did so.
10. However, the Tenant was able to email the Board approximately 31 separate times between October 9, 2025, and June 3, 2026. The Tenant testified that he has provided the Board with over 600 pages of documents to support his claim. The Tenant could not provide anywhere in those 600 pages an amended application, with the properly named Landlord or more sufficiently detailed claims.
11. I am not satisfied that the Board was sending the Tenant anything other than the Interim Order and I am satisfied that the Interim Order was properly served to the Tenant. The Tenant had consented to service via email, and the Interim Order was emailed to the Tenant on August 20, 2025. Furthermore, if the Tenant was waiting for something from the Board like he claims, I find it unusual that he was able to email the Board approximately 31 times between October 31, 2025, and June 3, 2026, but not once did he follow up on whatever "form" he was apparently waiting for.

12. Ultimately it is the Tenant's responsibility to perfect their own application, and the Tenant was put on notice at the ACC that he needed to take steps to amend the application to change who the listed Landlord was as well as to provide more sufficient reasons and details for each of his claims. The Tenant has failed to do so. The Tenant was unable to provide an adequate reason for failing to take the necessary steps to clarify his claims and name the proper Landlord after being made aware at the ACC that these were necessary steps. I am not persuaded that the Board was sending a "form" other than the Interim order, which was properly served to the Tenant.
13. As such, I find that the Tenant's application has a complete lack of detail and does not name the proper Landlord, and it would be procedurally unfair to allow the hearing to proceed.
14. Therefore, the Tenant's application is dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

June 17, 2026
Date Issued

Nicole Pedron
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.