



Order under Sections 31 / 135 Residential Tenancies Act, 2006

Citation: Berg v Osgoode Properties, 2026 ONLTB 48452

Date: 2026-06-24

File Number: LTB-T-003935-24

In the matter of: 502, 1735 Frobisher Lane
Ottawa ON K1G3P7

Between: Rod Berg Tenant

And

Osgoode Properties Landlord

Rod Berg (the 'Tenant') applied for an order determining that Osgoode Properties (the 'Landlord'):

- illegally collected or retained funds from the Tenant; and
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was heard by videoconference on March 2, 2026.

The Landlord's legal representative David Lyman, the Landlord's agent Gabriela Iorga, and the Tenant attended the hearing.

The Tenant declined the opportunity to speak with Tenant Duty Counsel ahead of the hearing.

Determinations:

1. At the outset of the hearing, the Tenant withdrew the T1 Application filed under section 135 of the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17 (the 'Act'). The Landlord consented to this withdrawal. Therefore, the only evidence presented was with respect to the Tenant's application under section 31 of the Act pertaining to allegations of harassment.
2. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
3. At the hearing, the Tenant presented a list of interactions with his Landlord and its agents that he characterized as a pattern of harassment. These interactions include communications about maintenance issues, asking staff about the Landlord's online portal, disputes about use of the garage, notices of entry pertaining to maintenance of building systems, noise issues in the building, and communications about rent and insurance.

4. The Tenant is of the view that the series of events he described over the course of his tenancy is a targeted campaign by the Landlord to harass the Tenant and interfere with his enjoyment of the rental unit. I disagree. The materials presented by the Tenant reflect routine communications between a landlord and a tenant, in my view. Communications are all related to the tenancy and the Tenant could not point me to an instance where the Landlord or any agent of the Landlord acted unreasonably.
5. The Tenant did not identify any evidence of a deliberate pattern of conduct by the Landlord's agents beyond the circumstances of the timing of various events.
6. Gabriela Iorga, a portfolio manager for the Landlord who was the agent in communication with the Tenant during much of the relevant time, testified at the hearing. She gave clear and concise testimony about the series of events presented by the Tenant. Her explanations of the events were clear and rational. I have no reason to doubt her credibility. In every instance, a pedestrian explanation of the Landlord's conduct was offered.
7. I am satisfied, after a thorough review of the evidence led by the parties at the hearing, that no individual allegation of conduct by the Landlord or their agents amounts to harassment, coercion, obstruction, threats, or interference with the Tenant. I am also satisfied the Landlord's conduct does not, in aggregate, amount to harassment, coercion, obstruction, threats, or interference with the Tenant.
8. As such, the Tenant's application must be dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

June 24, 2026
Date Issued

Jeremy Henderson
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.