



## Order under Section 31 Residential Tenancies Act, 2006

**Citation:** King v Halsted, 2024 ONLTB 13589

**Date:** 2024-11-03

**File Number:** LTB-T-060912-22

**In the matter of:** 408 MOUNT ALBION RD  
HAMILTON ON L8K5T3

**Between:** Tammy King

**And**

Sherry Halsted

I hereby certify this is a  
true copy of an Order dated

Mar 11, 2024

Landlord and Tenant Board

Tenant

Landlord

Tammy King (the 'Tenant') applied for an order determining that Sherry Halsted (the 'Landlord'):

- 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 November 2, 2023.

The Landlord, the Landlord's legal representative Mr Newhoff, and the Tenant attended the hearing.

### **Determinations:**

1. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
2. The Tenant is no longer in occupation of the rental unit.
3. The remedies reflected in the application are elusive, at best. The remedy sought pursuant to Remedy 2 – that the Landlord stop harassing and badgering the Tenant- is moot because the Tenant no longer lives in the unit. The remedy the Tenant requested under Remedy 11 – for rent differential and moving expenses and all costs incurred – is too vague, and it was hypothetical at the time the Tenant filed the application because she was still living in the unit at the time. The Tenant did not seek to amend the remedies at the hearing. In summary, there are no clear and concrete remedies claimed in the application. At the hearing, the Tenant appeared solely to seek commentary from the Board with respect to the wisdom of the Landlord's decision to serve the notice of termination. That is a matter beyond my jurisdiction.

4. The Tenant took no issue with the form or content of the N12 notice and acknowledged that it had been served and executed appropriately.
5. The Landlord took the position that there was no case to meet, given the nature of and the content of the Tenant's application.
6. I find that the Landlord's assertion is sound, and this application is dismissed.

**It is ordered that:**

1. This application is dismissed.

**March 11, 2024**  
**Date Issued**

*Paul Sommerville*

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Paul Sommerville  
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.