



## Order under Section 16.1 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

**Citation:** Ibrahim v Nasser, 2024 ONLTB 1204

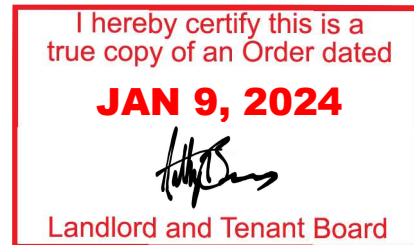
**Date:** 2024-01-09

**File Number:** LTB-T-029224-22-IN

**In the matter of:** 7676 BLACK WALNUT TRAIL  
MISSISSAUGA ON L5N8A6

**Between:** Siale Ibrahim  
Dania (Dinea) Ibrahim  
Marlon Tracey

Jamal Nasser  
Hanan El-rifai



Tenant

Landlord

### INTERIM ORDER

Siale Ibrahim, Dania (Dinea) Ibrahim and Marlon Tracey (the 'Tenant') applied for an order determining that Jamal Nasser and Hanan El-rifai (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.
- the Landlord 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 December 14, 2023.

The 1<sup>st</sup> and 2<sup>nd</sup> named Tenant and the Landlord's Legal Representative Jaskran Sandhu and the 1<sup>st</sup> named Landlord attended the hearing.

#### Determinations:

1. At the hearing, the parties requested an adjournment because the Tenant submitted new allegations in their rebuttal evidence and wished to add them to their application. The Landlord requested the opportunity to respond to these new allegations.
2. Both parties agreed the Tenant vacated the rental unit on or about October 31, 2023.
3. After considering the parties' submissions, I granted the adjournment.

4. The Tenant shall amend their application and provide the Landlord and the LTB the following information about each issue by **January 31, 2024**:
  - a. Amended their application to add the new allegations
  - b. a description of the issue
  - c. the date the issue started
  - d. the date the Tenant told the Landlord about the issue
  - e. whether the issue was resolved
  - f. what the Tenant would like the LTB to order for the issue (the remedy requested).

**It is ordered that:**

1. The hearing is adjourned to a date to be scheduled by the LTB.
2. The parties shall provide their unavailable dates to the LTB by December 20, 2023.
3. The LTB will send the parties a Notice of Hearing for the next hearing date.
4. At least 20 days before the hearing, the parties shall give each other and file with the board a copy of any documents, receipts, photographs, recordings, or any other submissions they intend to rely on at the hearing by email. Evidence should be sent to the Board by email at **LTB-Evidence@ontario.ca**.
5. Parties shall exchange with each other any list of witnesses and issue appropriate summons for witnesses if required, within 10 days of the hearing date.
6. Parties shall make any necessary replies and related evidence to each other's disclosure at least 10 days before the hearing.
7. If parties want to make disclosure through the Tribunals Ontario Portal, they must sign and file the LTB's form called "Consent to Disclosure through Tribunals Ontario Portal" found on the LTB's website.
8. Pursuant to Rule 19.7 a party who fails to comply with an order for disclosure may not be permitted to rely on evidence that is not properly disclosed.
9. The Tenant/Applicant shall notify the Board and the Landlord in writing immediately if the hearing is no longer necessary, and they wish to withdraw, discontinue, or abandon their application.
10. I am not seized with this matter.

**January 9, 2024**  
**Date Issued**



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Anthony Bruno  
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.