



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

Citation: Allicock v Revell, 2024 ONLTB 47020

Date: 2024-06-28

File Number: LTB-T-027520-23-IN2

LTB-L-022257-24-IN2

In the matter of: 56, 50 TURNTABLE CRES
TORONTO ON M6H4K9

Between: Sandra Allicock

And

Megan Revell

I hereby certify this is a true copy of an Order dated
JUN 28, 2024
Landlord and Tenant Board

Tenant

Landlord

INTERIM ORDER

T2 Application LTB-T-027520-23

Sandra Allicock (the 'Tenant') applied for an order determining that Megan Revell (the 'Landlord') :

- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenant replacement keys.
- 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.

L2 Application LTB-L-022257-24

Megan Revell (the 'Landlord') applied for an order to terminate the tenancy and evict Sandra Allicock (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

The T2 application was adjourned on April 17, 2024 to be heard with the L2 application. The L2 application was rescheduled from May 9, 2024 to be heard with the T2 application. Both of these applications were heard together by videoconference on June 18, 2024. The Tenant, the Landlord, and the Landlord's representative, Sarah Teal, attended the hearings.

Preliminary Issues:

1. The Tenant requested disclosures and application amendment requests be considered that were submitted to the Board and the Landlord on or before June 11, 2024. The Landlord consented to this request. I granted the Tenant's request in accordance with the Board's Rules of Procedure 19.1 and 15.1.
2. The Tenant stated that she suffers from Post-Traumatic Stress Disorder (PTSD) and Attention Deficit Hyperactivity Disorder (ADHD) and requested that the hearing proceed at a slower pace. I granted the Tenant's request for an accommodation on these grounds.
3. The Tenant requested that I withdraw as an adjudicator from these hearings and the Board assign another adjudicator that is better able to adjudicate issues of racial sensitivity. The Tenant acknowledged that she did not submit this request to the Board anytime before the hearing. I have reviewed the L2 and T2 applications, and I am satisfied that another adjudicator does not need to be assigned to these matters to conduct a fair and adequate hearing. Accordingly, I denied the Tenant's request.
4. The Tenant requested an extension to submit disclosures up to the day of the hearing. I accept that the Tenant is self-represented and also suffers from PTSD and ADHD. However, given the Tenant was advised of the adjourned hearing on May 2, 2024 through the Board's Notice of Hearing, and given the volume of disclosures already submitted by the Tenant, I am satisfied that the Tenant had sufficient time to submit disclosures for both applications in accordance with the Board's Rules of Procedure 19.1 and 19.2. I find that a deviation from these rules, and therefore limiting the Landlord's time to review the Tenant's disclosures, is not warranted. Accordingly, I denied the Tenant's request.
5. The Landlord requested her L2 application be amended, as submitted to the Board on June 8, 2024, to reflect an increase in the out-of-pocket expenses that she incurred from \$3,121.21 to \$3,220.21. The Tenant consented to the amendment. I granted the Landlord's request pursuant to the Board's Rules of Procedure 15.3.

Determinations:

6. The hearings proceeded first with the Landlord's L2 application. The Landlord completed presenting her evidence, and the Tenant cross-examined the Landlord on that evidence. There was insufficient time in the hearing block to hear the Tenant's L2 evidence or to commence the hearing for the Tenant's T2 application. I therefore adjourned the hearing for both applications.
7. Given that considerable evidence has already been heard for the Landlord's L2 application, the parties shall not provide to each other any further documents, photographs, receipts, recordings, or similar items that they intend to rely upon at the adjourned hearing for LTB-L-022257-24.
8. Given that the hearing for LTB-T-027520-23 has not commenced, the parties may exchange additional documents, pictures, and other evidence they intend to rely on at

the hearing by the deadlines set out below. The parties shall also provide the LTB a copy of any additional evidence.

9. The Tenant's T2 application was filed with the Board on April 10, 2023. The Tenant has submitted two T2 application amendment requests to the Board, one on May 3, 2024 as directed in LTB-T-027520-23-IN, and the second on June 11, 2024. These T2 amendment requests will be considered, pursuant to the Board's Rules of Procedure 15.3, at the start of the adjourned hearing for LTB-T-027520-23. No further T2 amendment requests will be considered.

It is ordered that:

1. The hearing for both applications is adjourned to a date to be scheduled by the LTB on an urgent basis.
2. The LTB will send the parties a Notice of Hearing for the next hearing date.
3. The Tenant shall provide to the Landlord and the Board a succinct listing of all her T2 allegations, to include specific incidents and their dates and times of occurrence, no later than 7 days before the date of the adjourned hearing. This listing shall include the allegations as provided in the T2 application and the requested T2 application amendments submitted on May 3, 2024 and June 11, 2024.
4. For LTB-L-022257-24 the parties shall not provide to each other any further documents, photographs, receipts, recordings, or similar items that they intend to rely upon at the adjourned hearing.
5. For LTB-T-027520-23 the Landlord and Tenant shall provide to each other any documents, photographs, receipts, recordings, or similar items that they intend to rely upon, at least seven days before the date of the adjourned hearing.
6. For LTB-T-027520-23 any documents, photographs, receipts, recordings, or similar items that the Landlord or Tenant intend to rely upon in response to the other parties' disclosures, shall be provided to the other parties at least five days before the adjourned hearing.
7. All submissions must be uploaded on the Tribunals Ontario Portal (TOP) online. They may also be submitted via email at LTB.Evidence@ontario.ca.
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. I am seized.

June 28, 2024
Date Issued

Frank Ebner
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.