

Form 61A (Notice of Appeal)

Rules of Civil Procedure

Notice of Appeal

In the Superior Court of Justice (Divisional Court)

East Region

Between:

King Sean, House von Dehn (Trustee on Record)

Appellant

and

Multifaith Housing Initiative

Respondent

Notice of Appeal

The Appellant appeals to the Divisional Court from the order of Adjudicator Fotoula Hatzantonis of the Landlord and Tenant Board, dated October 1, 2026 (Review Decision Denied October 14th, 2026) in respect of File No. LTB-L-069155-26.

The Appellant asks that the order be vacated, the application of the Respondent be dismissed, and an Order for damages, costs, and a declaration of registry breach be entered.

The Grounds of Appeal are as follows:

1. **Procedural Unfairness and Fraudulent Service:** The Tribunal erred in law by proceeding with a hearing on September 29, 2026, when the initial service of the application materials by the Respondent was executed in bad faith and constituted a fraud on the record. While the Respondent did deliver the initial application text making demands for funds not owed, they intentionally withheld the primary tenancy agreement from the served materials to hide the underlying contractual terms from the record which clearly state that the landlord is liable for any rent not paid for by a city of Ottawa subsidy.
2. **Error in Law Regarding Registry Records and Document Manipulation:** The Tribunal committed an egregious error in law by demonstrating willful blindness to the active registry file record. The file processing administration tampered with, altered, and fractured email thread continuity (altering subject headers from "Balance on Account" to "RE: Balance on Account"), and incorrectly advised the Appellant that relevant, timely evidence submitted in **August 2026** belonged to a **closed file from 2023**. The Record Showed this was completely fabricated and the documents in question were received on **August 18th**, over a month before the scheduled hearing.
3. **Absence of a Valid Cause of Action Under the Residential Tenancies Act:**
The Tribunal erred in law by entertaining an eviction application based on an N4 notice for non-payment of rent where no arrears can lawfully exist. The terms of the governing lease agreement explicitly state that **the landlord is liable for all rent not covered by the City of Ottawa housing subsidy**, completely defeating any claim of tenant non-payment.

4. **Failure of the Adjudicator to Execute Promised Interlocutory Orders:** The Tribunal erred in law and breached procedural fairness when the presiding adjudicator stated on the record during the oral hearing that she Will issue an Order compelling the landlord to provide accurate accounting records *via email*, 'to reduce friction between the parties' and fraudulent service claims but completely excluded this required directive from the final written order.
5. **Errors Concerning Collateral Stolen Subsidy Claims and Jurisdiction:** The Tribunal erred in law by failing to recognize that the Respondent's ledger figures relied on fraudulent financial statements involving **\$8,000.00 in stolen housing subsidies**. The Appellant properly attempted to recover these stolen funds through the Social Benefits Tribunal (SBT); however, the SBT lacked the statutory jurisdiction to compel either the City of Ottawa or the landlord to repay the stolen funds, creating a jurisdictional vacuum that the Landlord and Tenant Board failed to address when assessing the validity of the alleged arrears.
6. **Abuse of Process and Failure of Jurisdiction:** The Tribunal lacked the competence and jurisdiction to issue a lawful order because it countenanced and relied upon a corrupted, manipulated registry file thread, rendering the entire adjudication process a nullity and a gross abuse of statutory authority.
7. **7. Egregious Error of Fact and Contradiction on the Face of the Record:** The Tribunal committed a severe error in law and fact by issuing a Review Order on **October 15, 2026**, that directly contradicts the record of the initial order dated **October 7, 2026**. The Review Order falsely determines that the application was discontinued *prior to the*

commencement of the hearing without an appearance by the parties. This explicitly denies the true record of the case file, which confirms that an ***active oral hearing took place on September 29, 2026***, attended by both parties, during which evidence was entered and oral directives were issued by the presiding Member. Basing a review denial on a factual premise that is completely disproven by the Tribunal's own primary order constitutes a gross abuse of process and a failure of natural justice.

The Appellant proposes that this appeal be heard at the courthouse located at 161 Elgin Street, Ottawa, Ontario.

Date: October 27, 2026

King Sean, House von Dehn

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King Sean, House von Dehn

-and-

Multifaith Housing Initiative

Appellant

Respondent

Ontario Superior Court of Justice

Proceeding Commenced at Ottawa

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