



vidy Yakhni &lt;edgeparalegal@gmail.com&gt;

**Re: SOT-77620-16, SOT-80393-17, SOL-84218-17**

2 messages

**Peter Bosch** <pbosch468@gmail.com>

Tue, Oct 3, 2017 at 11:19 AM

To: VidyWATTIE Yakhni &lt;vidyyakhni@edgeparalegal.ca&gt;

Ms Yakhni;

Please provide an electronic copy of the photo of four human fingertips provided at the hearing.

Peter Bosch

(289)698-6779

On Mon, Oct 2, 2017 at 3:35 PM, VidyWATTIE Yakhni &lt;vidyyakhni@edgeparalegal.ca&gt; wrote:

Mr. Boosh,

With regards to the L2 application, as you are aware, at the hearing On August 10th;-

- we had completed our evidence in chief, including admittance of evidence (without objection from tenants) and testimony from our witnesses, and
- you had completed your cross-examination of our witnesses and direct examination of your witnesses;
- We had adjourned to give you time to provide us with video evidence relating to the material time;

The only document provided to you after the scheduled hearing on August 10th is the tenant letter dated Sept 3rd.

With regards to the T2 and T6 application, we have also provided all documents to you that we intend to rely upon, however, we will send you the documents again and will have hard copies for the hearing.

Thank you,

---  
Vidywattie Yakhni  
Paralegal/Owner  
Edge Paralegal Services  
2557 Barton Street East  
Hamilton, Ontario L8E 2X2  
Main: 905-522-7877  
Fax: 905-522-7778  
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On 2017-10-02 19:02, Peter Bosch wrote:

Ms Yakhni;

The first N5, dated 25 May 2017 had two tenant letters attached, and a police report. The second N5 dated 18 July 2017 had no documents attached other than details of the incidents alleged. There was no disclosure of the picture of four fingertips prior to the hearing.

Peter Bosch

On Mon, Oct 2, 2017 at 11:37 AM, VidyWATTIE Yakhni <vidyyakhni@edgeparalegal.ca> wrote:

Mr. Boosh & Ms. Ball,

I am confused as to the assertion you made.

I would like to reaffirm that we have provided disclosure to you in advance of hearing as follows:

1. Both N5 had tenant letters, notices and police report attached;
2. Documents were attached to L2 Application;
3. Documents were sent via regular mail and emailed to you;
4. Printed copies of documents were also given to you;
5. Precedent document of case that might be referred to given to you in advance of hearing

The September 3rd, 2017 letter was provided to you as soon as I received it.

**Below is a list of documents introduced at hearing with exception of Sept 3rd Tenant letter:-**

1. Tenant letter dated Feb 24th 2017
2. Tenant letter dated Feb 25th 2017
3. Police report - occurrence # 17579744
4. Tenant letter dated May 15th 2017
5. Notice of entry dated June 25th 2017
6. Notice of entry dated July 16th 2017 with Property standard attached
7. 1 pictures of landlord's finger
8. Tenant letter dated September 3rd 2017

Thank you,

---  
Vidywattie Yakhni  
Paralegal/Owner  
Edge Paralegal Services  
2557 Barton Street East  
Hamilton, Ontario L8E 2X2  
Main: 905-522-7877  
Fax: 905-522-7778  
website: www.edgeparalegal.ca

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Paul Bosch

Sum  $\Rightarrow$  June <sup>25th</sup> ~~24th~~ - <sup>24 hour</sup> gave notice at 9:30 AM to work on unit (Windows) -

June 26th - Argued about the time on the notice was not 24 hours - Tried to set rules on which windows we could install - phoned me on Sunday after he has already been served notice not to call on my phone - only written letter for correspondence or call my Brother

June 27 - Harassed me at the door of his apartment about what I can do or not do - argued that the notice was insufficient time.

Harassed me while I was on the Ladder installing storm windows - making faces + gestures and asking questions while I am trying to do my job

June 28th  $\Rightarrow$  Tuesday  $\Rightarrow$  While installing windows

Paul Bosch Removed the screen holding the house window up without telling me and the frame caught my finger. He was told not to be near me or my employee's while we are working - continued to work in pain until ~~day~~ <sup>end</sup> of day.

Harassed my ~~tenant~~ <sup>tenant</sup> (Caretaker) Richard Pollnizing - told and my Brother, accusing them of Slander

June 29th Wednesday  $\Rightarrow$  Went to finish the work same harassment and slander as previous day

Tuesday - Building inspector from City of Hamilton appeared and I asked him if Paul Bosch called him - He told me he was checking for a permit - Permit is not required for the work I was doing - Told me he was there to look at the plexiglass window, and the only person who knew this was Paul Bosch (purposely called to slow down my work)

Thursday June 29 - Richard Polling called to let me know that the Fire Department was called to Apt #2 - (Paul ~~Bosch~~ Bosch Apartment) He called them a few months earlier and the work order was already done. Purposely trying to create more work to slow down the work in progress.

Rest Day  
July 1st → Picked up rent at 7pm - Paul tried to create conflict on when rugs to be installed - this was already discussed before and answered - Tried to harass answer from me.

## Phone Calls - Records

Sunday July 16th wrote up notice for  
work in his Apartment

- Work to start Tuesday July 18th -

- Asked to enter unit to work in kitchen  
and was denied entry - Called me a Dumb bag

- Worked on front lights of house and  
worked on porch instead

- He came down to the porch and my  
brother and my friend Laura Holand where there

- I told Paul ~~do~~ not to talk or bother my brother  
while he is working - He said he can do whatever  
he want as he blew cigarette smoke in my face

- I told him to stop and he would not - trying to  
provoke me. I called my paralegal at that point  
and he made some crude remarks about here  
and myself

July 19  
Wednesday - Denied Entry - Worked on porch and  
completed repairs - Marie Bell came out of  
unit and sat on porch close to area where  
we were painting - asked here to move away  
from work area - Question where to sit - Told  
here there was a chair on the Lawn - Instead  
continued to sit on veranda - but moved over  
enough to continue work.

Installed 3 windows - same day - took out glass  
~~pane~~ put in windows - done in - 2 hours -

Thursday July 20

Went to do work on Unit 2, 99 East Ave

Asked Marie if I could go in - Wanted to  
ask me a Question - Answered Question - Still did  
not let me in to repair Kitchen - told here  
I needed to repair vinyl in her Bedroom Floor

- Made allegation ~~about~~ about my intent - (leading  
question) ~~that~~ did not answer

I asked again to do only the work in the kitchen - She would not respond to question to go into kitchen to work so I left to go do other work because she would not let me enter unit.

July 21 Friday - ~~Went~~ Went to Dunsmuir to maintain property

July 22 Sunday - Did Cement work on East Ave - mixed 13 Bags of Cement + packed + poured walls

Tuesday Aug 1 - Paul Bosch interrogates me before I was able to do my work to get into the unit - Try to direct me on where + how to do my work.  
- Came in unit at 10:30 Finish Floor in Kitchen by 2:30 PM

Wednesday Aug 2 - ~~Went~~ Went into unit after interrogation

- ① at the door - Replaced insulation and put in quarter round to hold down insulation
- ② Worked in Hall near front Bedroom - Found protruding screw under the door of bedroom (inside) and screwed it back down - as I explained this repair to Paul that he said was not in the repair order

Gave the same 24 hour notice as the week before and he would not let me in to do my work - a deliberate stalling to make me past my deadline on the Order from property Standards

- Inspector Steve + Steve showed up - satisfied with all the work and took pictures.
- Couple of issues told me he would get back to me about - Repaired them anyway - 20 minute job

# EDGE PARALEGAL SERVICES

414 King Street E, Hamilton Ontario L8N 1C3

Tel: 905-522-7877; Fax: 905-522-7778

Email: [vidyyakhni@edgeparalegal.ca](mailto:vidyyakhni@edgeparalegal.ca)

Website: [www.edgeparalegal.ca](http://www.edgeparalegal.ca)

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July 27<sup>th</sup> 2017

**Send via regular mail**

MARIE BALL & PAUL BOSCH  
2,99 EAST AVENUE SOUTH  
HAMILTON, ONTARIO L8N 2T6

Attention: Mr. Bosch & Ms. Ball

**RE: LTB L2 Application File# SOL-84218-17**

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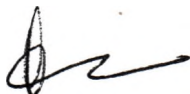
Dear Ms. DeWolf,

I am attaching all relevant documentation pertaining to the above matter that we will be relying upon in the hearing.

ATTACHED

1. Tenant Letter dated Feb 24<sup>th</sup> 2017
2. Tenant letter dated Feb 25<sup>th</sup> 2017
3. Police report- occurrence# 17579744
4. Tenant letter dated May 15<sup>th</sup> 2017
5. Notice dated June 25<sup>th</sup> 2017
6. Notice dated July 16<sup>th</sup> 2017 with Property Standard Order
7. Picture

Best regards,



Vidywattie Yakhni  
Paralegal

NS-1  
Date: February 24' 2017

I am writing this letter on behalf of the tenant on the first floor  
of Apartment 1-99 East Ave South

We have had issues with the tenant's in Apartment 2-99 East Ave South  
Namely, Paul Bosch and Marie Ball

1. They have invaded our living space on our porch beside the garage  
and were seen by us taking pictures and video inside our porch area

2. When I come home there is a constant odour of Marijuana in the hallway  
on the second floor above my unit and in the hallway on the first floor leading  
into my unit. The odour makes me ill and causes me to vomit.

3. They are constantly spying on us when we come and go from their window  
whenever we are outside. They have made us afraid to leave our unit for any  
length of time. They are taking away our normal enjoyment of our living space  
and are constantly watching us.

4. We are three seniors living in this unit many years and now the tenant's living  
above us are driving fear and stress in our lives.

Signed  
~~Signed~~ Richard Dittong

Witnessed,

John Lewis

Feb 25, 2017

To Whom it May Concern,

I am a tenant at 99 East Ave South, Apartment 1, and also the caretaker for the buildings at 97 and 99 East Avenue South.

The tenant who resides at 99 East Ave. S, Apartment 2 (Paul Bosch and Marie Ball) have been causing me a lot of stress which is not good for my health. I have been put on sleeping pills to help me sleep at night.

There is a continuous smell of marijuana coming from their apartment, and into the hallway which makes me feel ill. I have a bad heart and the smell makes me sick to my stomach.

They have been trying to put me in the middle of their problems with the landlord, taking pictures of the building, and are constantly bothering me with letters for the landlord, as they don't want him at their apartment.

Sincerely,

Richard Pollington

A handwritten signature in dark ink, appearing to read "Richard Pollington", is written over two horizontal lines.

Witnessed: John Lewis

## Occurrence Details Report



Hamilton Police Service

Occurrence # **17579744**  
Occurrence Type **Neighbour Dispute**  
Occurrence time 2017/04/07 09 10 -  
Reported time 2017/04/06 20 26  
Place of offence **99 EAST AV S, Apt. 1, HAMILTON, ON Canada**

Clearance status  
Summary  
Remarks.

### Involved persons:

- POLLINGTON, TERRENCE RICHARD / Complainant / DOB. 1952/06/14 (64) Gender Male  
(99 EAST AV S, Apt. 1, HAMILTON, ON Canada  
Residence (Cellular phone) (289) 689-2646

### Involved addresses:

- 99 EAST AV S, Apt. 1 / Dispatch address / HAMILTON, Ontario, Canada

### Involved officers:

- Dispatched officer, Reporting officer / 9 / UHLIK, S / #1293 / ON/HAMILTON / Officer / DIV 1 B SQUAD
- Dispatcher / 9 / MORRIS, D / / ON/HAMILTON / Police civilian / COMMUNICATION SERVICES

### Reports:

General report

Occurrence. 17579744 Neighbour Dispute

Task

Author #1293 UHLIK, S

Report time 2017/04/07 09.11

Entered by #1293 UHLIK, S.

Entered time 2017/04/07 09 11

Remarks

Narrative.

At 0758hrs Police were dispatched to 99 East Ave S apt #1 for a neighbour dispute Richard POLLINGTON as part of his caretaker duties is responsible for collecting rent for the Landlords Currently there is a dispute at the LTA Tribunal between the Landlord and tenant in apt.#2. POLLINGTON feels caught in the middle of the dispute as the caretaker and feels that treatment of him is harassing and unfair Police counselled both parties and they have agreed to be civil to each other and use a mediator to collect the rent, or the landlord will collect the rent directly

COMPLETE SOLVED-NON CRIMINAL

FOI - Hamilton Police Service  
Confidential



## HAMILTON POLICE SERVICE

ERIC GIRT CHIEF OF POLICE  
KEN WEATHERILL DEPUTY CHIEF  
FIELD SUPPORT  
DAN KINSELLA DEPUTY CHIEF  
COMMUNITY POLICING

File: 17-0379

May 15, 2017

Terrance Pollington  
1 – 99 East Ave. S.  
Hamilton, ON L8N 2T6

I am responding to your request for information pursuant to the Municipal Freedom of Information and Protection of Privacy Act, our file #17-0379.

After careful consideration of section 38 (a) (b), a decision has been made to grant partial access to the requested report. Even though some of the information pertains to you, some of the information has been removed because disclosure would constitute an unjustified invasion of another individual's personal privacy as consent for disclosure was not obtained.

The following were considered in making this decision:

- 14(2)(f) *the personal information is highly sensitive*
- 14(3)(b) *was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation*

The following sections were used to exempt the 10-codes, patrol zone information and/or statistical codes from the records:

- 8(1)(e) *endanger the life or physical safety of a law enforcement officer or any other person*
- 8(1)(l) *facilitate the commission of an unlawful act or hamper the control of crime*

A copy of this record may be obtained by attending the Cashier's Desk at the Records Office of the Hamilton Police Service, 155 King William St., Hamilton, ON between the hours of 8:30 a.m. – 6:00 p.m., Monday through Friday. You are not required to take a number. Just simply attend the Cashier's Desk to pick up your records.

As this is personal information, you will be required to **present this letter and two pieces of identification** (one with a photo, e.g. Driver's Licence) prior to obtaining the record. Please note older health cards and SIN cards are not acceptable.

The fee for photocopying is **\$0.40**. We do not accept Debit or Credit Cards for transactions under \$5.00 so please bring cash.

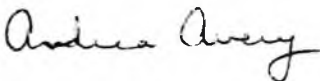
I am responsible for this decision. If you have any questions, please contact this office at 905-546-4727.

You may request a review of this decision by the Information and Privacy Commissioner, 2 Bloor St. E., Suite 1400, Toronto, ON M4W 1A8. Their telephone number is 416-326-3333.

You have 30 days to make this appeal.

In the event that you wish to launch an appeal, please provide the Commissioner's office with a copy of this decision letter. In addition, you must send a \$25.00 (or \$10.00 for personal information) appeal fee to the Commissioner's office. Please include the fee in your letter of appeal. Appeal fees should be in the form of a cheque or money order, payable to the Minister of Finance.

Sincerely,



per PC Dana Barron #220  
Co-ordinator  
Freedom of Information Branch

May 15<sup>th</sup> 2017

As I was walking out my front door to go to #9<sup>th</sup> East Ave S to check the thermostat Paul Bosch made a rude comment at me the comment was "Douchobag" John was my witness

~~July~~ June  
June 28<sup>th</sup> 2017

As I was helping Assosition up stairs in apt 2-99 East Ave South Once again Paul Bosch called me a "Douchobag" and told me to get a lawyer - Assosition was my witness to this event.


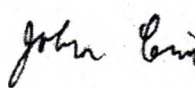
Date, Sunday June 25th 2017

To Paul Bosch and Marie Ball,

This is a 24 hour notice that we will be working on Unit 2-99 East Ave South on Monday June 26th 2017 and Tuesday June 27th 2017 Wednesday June 28th We will be doing the work that is required to repair the issues on the work order . We will be installing windows and will need to work in the unit where the windows are being installed. We will be working from 10am till 5pm on these days.

The Landlord, John Cerino

Signed by: Agostino Cerino  
John Cerino

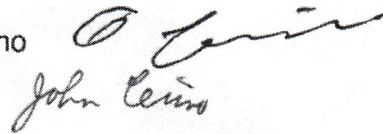
Date, Sunday July 16 2017

To Paul Bosch and Marie Ball,

This is a 24 hour notice that we will be working on Unit 2-99 East Ave South on Tuesday July 18 2017. We will be doing the work that is required to repair the issues on the work order by Property Standards as well as the other work that is needed to be addressed to the unit. We will be working in the Kitchen and the Bedroom at the Front of the house closest to the driveway. We will be there at 10am till 5pm. We will also be there on Wednesday July 19, Thursday July 20 and Friday July 21 2017 from 10am till 5pm. Do not talk to me or my Workers or interfere with our work so that we can be done in a timely fashion. Video and recording will also be viewed as harassment and will not be allowed.

The Landlord, John Cerino

Signed by: Agostino Cerino  
John Cerino

A handwritten signature in black ink, appearing to read "John Cerino", is written over the printed name.

**CITY OF HAMILTON**  
**Municipal Law Enforcement Section, Planning and Economic Development Department**  
**77 James Street North, Suite 250, Hamilton, ON L8R 2K3**

# ORDER

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992 and Section 28 of the Property Standards By-law.

**Property Standards Order No. 17-117393 00 MLE**

**Order issued to:**

JOHN CERINO  
48 HENLEY DR.  
STONEY CREEK, ON, L8E 3S6

**Municipal Address to which Order applies:**

97-99 EAST AVE. S.  
HAMILTON, ON

An inspection on or about **June 30, 2017** of your property, **99 EAST AVE. S., Unit 1 and Unit 2, HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	13(5) Where a floor has been covered with a sheet or vinyl floor covering or other flooring that has become worn or torn so that it retains dirt or may create an unsafe condition, the sheet or vinyl floor covering or other flooring shall be repaired or replaced.	<b><u>99 EAST AVE S. UNIT 2</u></b>  a) Repair or replace the vinyl flooring where it has ripped by the right hand side bedroom.  b) Repair or replace the laminate floor that has been scarred in the living room.  c) Repair or replace the vinyl that has come away from the subfloor in the hall on your way to the kitchen.  d) Repair the floor in front of the kitchen sink so it is not spongy.
2	9(1)(a) A door, window, hatch or other opening and its frame shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air.	<b><u>99 EAST AVE S. UNIT 2</u></b>  a) Repair or replace the screen in the kitchen so that it performs its intended function (it does not go up or down).  b) Repair the outside door so as to minimize drafts and heat loss through the infiltration of outside cold air (there is a large gap along the bottom of the door).



September 3<sup>rd</sup> 2017

To whom it may concern:

I was at my father in laws house ( Rick pollington) ( 99 east ave south apt 1) celebrating labour day weekend with the family ( having a BBQ) my husband and I with my daughter ( who is 12) along with other family members (there were maybe 7 of us there) we were on the property of 99 east ave south not being very loud just having typical conversation outside in the drive way and a tenant from apt 2 ( PAUL BOSCH) yelled out the window "can you turn the music down" the music level was only at a min you couldn't hear it but we turned it down and continued conversation like anyone at a BBQ would do ( we have had many family BBQ the same way over the years) then the tenant from upstairs in apt 2-99 east ave south came down stairs and started video taping us Now as a mother i asked this tenant to please stop video taping as my minor daughter was outside and honestly this man is creepy he turned around and said "no i am using this for the tribunal" i then proceeded to call the police as this tenant upstairs continued to video the party! My daughter is afraid to go to her grandfathers house because of this tenant causing a scene My father in law has lived in his rental property for over 6 yrs and never have we had any issues with the neighbours who live upstairs until these tenants moved upstairs even then no issues until just recently the police came and spoke with the tenant PAUL BOSCH and told him that if our noise was bothering him that there could have been a better way to deal with it then go outside and cause a scene and harass mr pollington guests and family. i honestly don't know if this tenant continued to video tape but the police went upstairs and spoke with him and he didn't return down stairs again The police who came had no issues with the noise level, Now Family of rick pollington does not want to come there anymore because of this neighbour because we all have children or grandchildren we dont know if this neighbour upstairs will come down and video tape our children or us again

Sincerely

Jennifer Lymburner-Pollington

*Jennifer Lymburner Pollington*

police Incident number 17-708866

*PC HEASLIP #1274*

*IF YOU NEED TO CONTACT  
905 541-5740*

Aug 1 2018

Received from Paul Bosch, 1 flash drive  
(Red) as disclosure on all application.

Yah