



## **Order under Section 69 Residential Tenancies Act, 2006**

**Citation:** Morelle Consulting Limited v Judic-Mosquera, 2026 ONLTB 2285

**Date:** 2026-01-05

**File Number:** LTB-L-066993-25

**In the matter of:** 2, 351 WOODBINE AVE  
TORONTO ON M4L3P5

**Between:** Morelle Consulting Limited Landlord

**And**

Liliana Judic-Mosquera Tenant

Morelle Consulting Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Liliana Judic-Mosquera (the 'Tenant') because:

- the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit.

This application was heard by videoconference on November 17, 2025.

The Landlord's agent, Jeff Parsons, and the Tenant attended the hearing.

### **Determinations:**

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On April 30, 2025, the Landlord gave the Tenant a Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use (Form N13). The notice identifies Reason 2: the Landlord requires the rental unit to be vacant in order to do repairs or renovations that are so extensive that a building permit is required and the rental unit must be vacant to do the work. The termination date in the notice is August 31, 2025.
4. In the "Details About the Work I Plan to Do" section of the N13, the Landlord described an extensive apartment renovation including removal of existing plaster, trim, doors and flooring, new framing to facilitate upgraded insulation, new wiring, new drywall, trim, doors

and flooring, and installation of new kitchen and bathroom finishes, windows and heating equipment.

5. Section 73 of the *Residential Tenancies Act, 2006* (the “Act”) provides that the Board shall not make an order terminating a tenancy and evicting a tenant in an application under section 69 based on a notice of termination under section 50 unless it is satisfied that:
  - the landlord intends in good faith to carry out the activity on which the notice was based; and
  - the landlord has obtained all necessary permits or other authority required to carry out that activity, or has taken all reasonable steps to obtain them if they cannot be obtained until the rental unit is vacant
6. The Landlord’s agent acknowledged that no building permits have been issued for the project described in the N13. He explained that when the Landlord applied for permits, the City of Toronto advised that the property is classified as containing only two units, but there are actually three apartments. Because of this discrepancy, the City would not issue permits for the renovation until the classification issue is resolved.
7. The agent also indicated at one point that he believed permits were not required, despite having previously applied for them. He could not say when or how the outstanding classification issue would be resolved and could not provide any timeline for when the necessary permits might be obtained.
8. On this record, I am not satisfied that the Landlord has obtained all necessary permits required to carry out the extensive renovation described in the N13. Nor am I satisfied that the Landlord has taken all reasonable steps to obtain those permits within the meaning of 73(b) of the Act. The Landlord is unable to explain when or how the underlying zoning or classification issue will be addressed, and there is no concrete plan or timeline for obtaining the permits needed to complete the project.
9. Because the requirements of section 73 have not been met, the Board cannot make an order terminating the tenancy and evicting the Tenant on the basis of this N13 notice. The application must therefore be dismissed.
10. The evidence is that on August 27, 2025, the Landlord sent the Tenant an e-transfer in an effort to pay compensation in connection with the N13 notice. The Tenant did not accept that e-transfer before the August 31, 2025 termination date.
11. At the hearing on November 17, 2025, I directed the Tenant to accept the e-transfer so that the compensation payment could be completed. The Tenant accepted the e-transfer during the hearing.
12. After the compensation was accepted, it became apparent through the evidence that the Landlord had not obtained the necessary building permits and had not taken all reasonable steps to obtain them. For the reasons set out above, the application is dismissed on that basis.

13. I directed the Tenant to reverse or return the e-transfer to the Landlord. The Tenant did so during the hearing. As a result, no further order is required with respect to repayment of the compensation.

**It is ordered that:**

1. The Landlord's application is dismissed

**January 5, 2026**  
**Date Issued**

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Colin Elsby  
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.