



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-070761-25

In the matter of: 504, 205 FREDERICK STREET
TORONTO ON M5A1N2

Between: Rajko Platisa Landlord
Goranka Platisa

And

Christina Kapelos Tenant

Rajko Platisa and Goranka Platisa (the 'Landlord') applied for an order to terminate the tenancy and evict Christina Kapelos (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was heard by videoconference on December 10, 2025.

The Landlord and the and the Tenant attended the hearing.

When the capitalized word “Landlord” is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word “Tenant” is used in this order, it refers to all persons identified as a Tenant.

Determinations:

The Application is premature

1. The certificate of service provided by the Landlord indicates that the N12 Notice of Termination was served by mail on August 25, 2025. Therefore, it is deemed served on August 30, 2025.
2. The L2 Application was filed on August 25, 2025. This is 5 days prior to when the N12 was deemed served. Therefore, the Landlord’s L2 Application is premature and shall be dismissed.

The Compensation

3. At the hearing the Tenant testified that the Landlord did not provide her with one month compensation or offer an alternate unit that was acceptable.
4. The Landlord confirmed that they had not paid compensation to the Tenant. The Landlord testified that they were prepared to pay compensation on the hearing date, they testified that it was their understanding that compensation must be paid after an agreement has been reached, such as an agreement that the Tenant shall vacate. The Landlord also testified that they wished to have time to inspect the unit for damages before compensation was paid.
5. Section 48.1 of the Residential Tenancies Act, 2006 states:

48.1 A landlord shall compensate a tenant in an amount equal to one month's rent or offer the tenant another rental unit acceptable to the tenant if the landlord gives the tenant a notice of termination of the tenancy under section 48.

6. Section 55.1 of the Act states:

55.1 If the landlord is required to compensate a tenant under section 48.1, 49.1, 52, 54 or 55, the landlord shall compensate the tenant no later than on the termination date specified in the notice of termination of the tenancy given by the landlord under section 48, 49 or 50.

7. In the case before me the Landlord has failed to comply with section 55.1 of the Act. The termination date in the notice of termination is October 31, 2025, and compensation was not paid by this date.
8. The Act does not permit the Landlord to wait until the Tenant has vacated, or until an inspection has been completed to pay compensation. Instead, the Act requires the Landlord to compensate the Tenant no later than the termination date in the notice of termination and they have not done so, therefore the Landlord's Application shall be dismissed.

It is ordered that:

1. The Landlord's Application is dismissed.

January 5, 2026
Date Issued

Reid Jackson
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.