



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-072435-25

In the matter of: 101, 136 Aspen Springs Drive
Bowmanville ON L1C0H2

Between: Paul Alexander Freeburn Landlord

And

Leanna Hinds Tenant

Paul Alexander Freeburn (the 'Landlord') applied for an order to terminate the tenancy and evict Leanna Hinds (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 January 5, 2026.

Only the Landlord attended the hearing.

As of 1:06 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has not paid the compensation pursuant to section 48.1 and 55.1 of the *Residential Tenancies Act, 2006* (the 'Act'). Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On August 8, 2025, the Landlord gave the Tenant an N12 notice of termination with the termination date of October 31, 2025. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential occupation by the Landlord's child.
4. At the hearing, the Landlord testified that he had not paid one month's rent as compensation to the Tenant as he has experienced financial hardship as a result of the

Tenant's failure to pay rent and because he assumed he would be ordered to pay the compensation at the hearing.

5. Section 48.1 of the Act states that, "a landlord shall compensate a tenant in the 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 requires that compensation under section 48.1 be paid to the tenant no later than on the termination date specified in the notice of termination. In the present case, the termination date in the N12 Notice of Termination is September 30, 2023.
7. As the Landlord did not pay the compensation required under section 48.1 of the Act and did not offer the Tenant an alternative unit, I find that the Landlord has not satisfied a statutory requirement for this application and the application must therefore be dismissed.
8. The Landlord has not made any attempt to compensate the Tenant prior to the hearing. As a result, I do not believe this would be an appropriate case to extend the time requirements pursuant to section 190(2) of the Act which states "the Board may extend or shorten the time requirements with respect to any matter in its proceedings, other than the prescribed time requirements, in accordance with the Rules."

It is ordered that:

1. The Landlord's application is dismissed.

January 14, 2026

Date Issued

Christopher Lin

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.