



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-096005-25

In the matter of: 1006, 2495 EGLINTON AVE W
MISSISSAUGA ON L5M2T2

Between: Daniels HR Corporation Landlord

And

Lubna Nazir Tenants
Nazir Ahmad Raja

Daniels HR Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Lubna Nazir and Nazir Ahmad Raja (the 'Tenants') because:

- the tenancy was entered into as a result of an agreement to purchase the condominium unit and the agreement has been terminated.

The Landlord also claimed compensation for each day the Tenants remain in the unit after the termination date.

This application was heard by videoconference on December 22, 2025.

Only the Landlord's lawyer, Douglas Levitt and full-time employee, Sasha Annibale, attended the hearing.

As of 9:40 a.m., the Tenants were 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 proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. Therefore, I have granted termination of the tenancy.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. On November 12, 2025, the Landlord gave the Tenants an N8 notice of termination effective January 31, 2026. The notice of termination contains the following allegations: that the Tenants took possession of the rental unit on June 26, 2025 pursuant to the terms

of an Agreement of Purchase and Sale executed on October 6, 2021; and, pursuant to an Occupancy Licence Agreement which provided that should the Agreement of Purchase and Sale fail to close the Tenants would be required to vacate the unit.

4. The Agreement of Purchase and Sale was scheduled to close on October 30, 2025 and it failed to close. The Tenants have not vacated the unit as they are required to do under the terms of the Occupancy Licence Agreement.
5. The tenancy arose out of an agreement of a purchase and sale of a condominium unit in good faith and the agreement has been terminated.
6. Based on the monthly rent, the daily compensation is \$140.00. This amount is calculated as follows: \$4,258.46 x 12, divided by 365 days.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Tenants have failed in their contractual obligation to close on the purchase of the rental unit and did not attend the hearing to explain their circumstances despite being properly served by the LTB.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before January 31, 2026.
2. If the unit is not vacated on or before January 31, 2026, then starting February 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after February 1, 2026.
4. The Tenants shall also pay the Landlord compensation of \$140.00 per day for the use of the unit starting February 1, 2026 until the date the Tenants move out of the unit.
5. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
6. If the Tenants do not pay the Landlord the full amount owing on or before January 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 1, 2026 at 4.00% annually on the balance outstanding.

January 7, 2026
Date Issued

Christina Budweth
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on August 1, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.