



Order under Section 69 Residential Tenancies Act, 2006

Citation: Lawrence v Achadinha, 2026 ONLTB 5098

Date: 2026-01-19

File Number: LTB-L-101201-25

In the matter of: A, 347 Oakwood Avenue
Toronto Ontario M6E2W1

Between: David Lawrence Landlord

And

Mario Achadinha Tenant

David Lawrence (the 'Landlord') applied for an order to terminate the tenancy and evict Mario Achadinha (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.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on January 13, 2026.

Only the Landlord attended the hearing.

As of 9:17 a.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 application was not filed within 30 days of the date of termination specified on the notice of termination. Therefore, the Landlord's application is dismissed.
2. Section 69(1) of the *Residential Tenancies Act*, 2006 (the 'Act') provides "a landlord may apply to the Board for an order terminating a tenancy and evicting the tenant if the landlord has given notice to terminate the tenancy . . .".
3. Section 69(2) goes on to provide that an application under subsection (1) must be filed no later than 30 days after the date of termination provided on the notice.

4. In this case the notice of termination provided a date of termination of June 30, 2025. The Application was received by the Board on October 1, 2025. This was well beyond 30 days after the date of termination.
5. As such, the Landlord did not file the application no later than 30 days after June 30, 2025, as required by section 69(2) and therefore, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

January 19, 2026

Date Issued

Nicole Pedron

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.