



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

**File Number:** LTB-L-076969-25

**In the matter of:** 312, 18 CONCORDE PL  
NORTH YORK ON M3C3T9

**Between:** Mark Cole Landlord

**And**

Sonya Fontana-Arnaldi Tenant

Mark Cole (the 'Landlord') applied for an order to terminate the tenancy and evict Sonya Fontana-Arnaldi (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 14, 2026.

Only the Landlord attended the hearing.

As of 9:14 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. The Landlord's Form N12 notice of termination does not comply with subsection 48(2) of the *Residential Tenancies Act, 2006* (the Act). The date of termination stated in the notice is November 11, 2025. That date does not fall on the day a tenancy period end.
2. The Landlord testified that the Tenant took possession of the rental unit on November 4, 2024. The Landlord further testified that the tenancy was a one-year fixed term that became a month-to-month tenancy on November 4, 2025. The Landlord stated that the tenancy period begins on the fourth day of each month and ends on the third day of the following month.
3. Subsection 48(2) of the Act provides that the date for termination specified in the notice shall be at least 60 days after the notice is given and shall be the day a period of the tenancy ends or, where the tenancy is for a fixed term, the end of the term.

4. Since the Landlord's N12 notice of termination does not comply with the Act's requirements, the notice is invalid and the Board lacks jurisdiction to grant the Landlord's application.

**It is ordered that:**

1. The Landlord's application is dismissed.

**January 23, 2026**  
**Date Issued**

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Joy Xiao  
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.