



**Order under Section 57
Residential Tenancies Act, 2006**

File Number: LTB-T-036815-25

In the matter of: 2, 1015 PHARMACY AVE
SCARBOROUGH ON M1R 2G8

Between: Jordan Lee Rhora Tenant

and

Anisa Kong Landlord

Jordan Lee Rhora (the 'Tenant') applied for an order determining that Anisa Kong (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on November 26, 2025.

The Tenant, the Landlord and the Landlord's legal representative Rajan Mahavalirajan attended the hearing.

Determinations:

1. The Tenant says the N12 notice of termination the Landlord gave her for her own use under section 48 of the Act was given in bad faith because the Landlord did not move into the rental unit within a reasonable time after she vacated.
2. The Tenant testified that she drives by the rental unit often as her child still attends a nearby school and has observed that the Landlord has not yet changed the window coverings. The Tenant also feels the N12 notice was given not for a legitimate purpose but because the Landlord had determined to unlawfully dispossess her following a misunderstanding about a door. The Tenant asks me to infer from this circumstantial evidence that the Landlord has not moved into the rental unit but in fact lives somewhere else. This is not an inference I am prepared to make in the face of the Landlord's direct testimony, corroborated by documentary proof filed, that she moved into the rental unit immediately after the Tenant vacated and continues to live there.
3. I find the application must be dismissed because there was insufficient evidence to prove the claim on proven on a balance of probabilities.

It is ordered that:

1. The application is dismissed.

January 21, 2026

Date Issued

Nersi Makki

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.