



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

File Number: LTB-L-082335-25

In the matter of: 629 Upper Oakleaf
Athens ON K0E1B0

Between: Joan Johnston Landlord

And

April Edgley Tenant

Joan Johnston (the 'Landlord') applied for an order to terminate the tenancy and evict April Edgley (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 has entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

This application was heard by videoconference on January 20, 2026.

Only the Landlord and the Landlord's representative, Andrew Howard, attended the hearing.

As of 1:33 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 proven on a balance of probabilities the grounds for termination of the tenancy in the application.
2. The Tenant was in possession of the rental unit on the date the application was filed.

N12 Notice of Termination - Purchaser's Own Use

3. On June 29, 2025, the Landlord gave the Tenant an N12 notice of termination, with the termination date of August 31, 2025. The notice was given on behalf of the Purchaser who

claims that they require vacant possession of the rental unit for the purpose of residential occupation by the Purchaser, Matthew Watkins ("M.W.").

4. The Landlord has proven that:

- the residential complex contains three or fewer units.
- the Landlord has entered into an agreement of purchase and sale ("APS") of the residential complex.
- the purchaser in good faith requires possession of the rental unit for the purpose of their own residential occupation.

5. Based on the uncontested evidence of the Landlord, I am satisfied that the Landlord has entered into an APS with the Purchaser and that the Purchaser intends to move into the rental unit once the Tenant vacates. The Landlord submitted into evidence a copy of the APS, which supports the Landlord's position that the Landlord has entered into an agreement to sell the residential complex to the Purchaser. A copy of the Purchaser's statutory declaration was also submitted into evidence, which also supports their intention to reside in the rental unit once the Tenant vacates. Furthermore, the Landlord has compensated the Tenant an amount equal to one month's rent by August 31, 2025. The Landlord testified that they sent a letter to the Tenant on June 29, 2025, informing them that they would be waiving July 2025 rent. The Tenant did not pay July 2025 rent.

Daily compensation, NSF charges, rent deposit

6. The Landlord collected a rent deposit of \$950.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$121.74 is owing to the Tenant for the period from January 1, 2019 to January 20, 2026.
7. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.

Relief from eviction

8. 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.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 15, 2026.
2. If the unit is not vacated on or before February 15, 2026, then starting February 16, 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 16, 2026.

February 4, 2026
Date Issued

Vishal Nanda
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 16, 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.