



Order under Section 69 Residential Tenancies Act, 2006

Citation: SINGH v LEE, 2026 ONLTB 13225

Date: 2026-02-10

File Number: LTB-L-003643-26

In the matter of: BASEMENT, 71 MALLARD CRES
BRAMPTON ON L6S2T7

Between: VARINDER SINGH Landlords
NAVDEEO LUBANA

And

MARK LEE Tenant
ANNE LEE

VARINDER SINGH and NAVDEEO LUBANA (the 'Landlord') applied for an order to terminate the tenancy and evict MARK LEE and ANNE LEE (the 'Tenant') because the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit.

This application was heard by videoconference on February 4, 2026.

The Landlord Varinder Singh, the Landlords' representative George Berger, and the Tenant Anne Lee attended the hearing.

Reasons:

1. The Landlords apply to terminate the tenancy based on an N13 notice given under section 50(1)(c) of the *Residential Tenancies Act, 2006* (RTA). Pursuant to that section, to succeed in their application, the Landlords must establish that they intend to do repairs or renovations to the rental unit which require a building permit and vacant possession of the unit.
2. The unit has been without electricity since May, 2025. The N13, served in September 2025, stated that the Landlords intend to test the state of the electrical wiring in the unit prior to restoring the supply of electricity. This will involve "removal of walls" – which I take to mean removal of drywall to access wiring inside the walls, not the structural removal of the walls themselves – which will cause a safety hazard. Because of the safety hazard, the N13 asserted that the electrical testing could only be done if the unit was vacant.
3. The Landlords' application cannot succeed. At the hearing, the Landlords conceded that the proposed work does not require a building permit. The work requires an Electrical

Safety Authority (ESA) permit, which they have obtained. However, they concede that an ESA permit is not a building permit.

4. Termination under section 50(1)(c) is only available for repairs or renovations which require a building permit. The Landlords' application must be dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

February 10, 2026
Date Issued

Dale Whitmore
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.