



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

File Number: LTB-L-092719-25

In the matter of: 9 LONGBOAT CRT
KANATA ON K2K2T3

Between: Paul Sterbenk Landlord

And

Brent Coghlan Tenant

Paul Sterbenk (the 'Landlord') applied for an order to terminate the tenancy and evict Brent Coghlan (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 29, 2026.

Only the Landlord attended the hearing.

As of 1:34 PM, 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. Therefore, the tenancy between the Landlord and the Tenant will be terminated as of February 24, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On November 7, 2025, the Landlord gave the Tenant an N12 notice of termination deemed served on the same date, with the termination date of January 31, 2026. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential occupation.
4. The Landlord has compensated the Tenant an amount equal to one month's rent by January 31, 2026.

Genuine intention to occupy the rental unit

5. The Board is required to determine whether the Landlord has satisfied the “good faith” requirement set out in section 48(1) of the Act. To do so, the Landlord must prove it is more likely than not that the Landlord has a genuine intention to occupy the premises for residential purposes for a period of at least one year [see *Feeney v. Noble*, 1994 CanLII 10538].
6. The Landlord submitted a declaration that he in good faith requires rental unit for his own personal use for a period of at least one year.
7. The Landlord testified that he and his wife are retiring and they wanted to payoff any debts prior to retirement. To do so, they recently sold their home which closed on January 26, 2026. They used the proceeds to paid off debts including a mortgage on the rental unit. Since the closing on the sale of his previous home, the Landlord and his wife are residing in their daughter’s basement until they can move into the rental unit.
8. I accept the Landlord’s uncontested evidence of their good faith intention. I am therefore satisfied on the balance of probabilities that the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for a period of at least on year.

Relief from eviction

9. Having found the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for a period of at least on year, there is no evidence before me on which I would exercise my discretion to delay or deny eviction as the Tenant did not attend the hearing to provide submissions regarding their circumstances.
10. 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 24, 2026.
2. If the unit is not vacated on or before February 24, 2026, then starting February 25, 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 25, 2026.

February 13, 2026
Date Issued

Sean Ramage
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 25, 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.