



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-101140-25

In the matter of: 2104, 5 MICHAEL POWER PL
ETOBICOKE ONTARIO M9A0A3

Between: Efstratia Toulas Gonedalles Landlord

And

Karla Del Rocio Cabrera Rojas Tenant
Krzysztof Szejna

Efstratia Toulas Gonedalles (the 'Landlord') applied for an order to terminate the tenancy and evict Karla Del Rocio Cabrera Rojas and Krzysztof Szejna (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 9:21 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 gave the Tenant a N12 Notice of Termination with a termination date of February 1, 2026.
2. The Landlord testified that the monthly rent is due on the 1st day of the month.
3. The N12 Notice of Termination was served pursuant to section 48 of the *Residential Tenancies Act, 2006* ('the Act'). Subsection 48(2) states:

(2) 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. As the rent is due on the first day of each month, I find that each period of the tenancy begins on the 1st day of a month and ends on the last day of the month.
5. The termination date of February 1, 2026, indicated on the N12 Notice is not the day a period of the tenancy end. The termination date must be last of a rental period which would have been January 31, 2026
6. Therefore, the N12 Notice is invalid because it does not comply with subsection 48(2) of the Act. The Board cannot terminate the tenancy without a valid N12 Notice.
7. If the Landlord paid the Tenant one month rent compensation, the Tenant shall return it to the Landlord no later than February 28, 2026.

It is ordered that:

1. The Landlord's application is dismissed.
2. The Tenant shall return the one-month rent compensation to the Landlord if the Landlord provided the Tenant compensation on or before February 28, 2026.

February 20, 2026
Date Issued

Samantha Greaves
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.