



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

File Number: LTB-L-090103-25

In the matter of: Basement Unit, 370 SPADINA RD
TORONTO ON M5P2V8

Between: Ziba Kalantar Landlord

And

Beth Maclaggan Tenant

Ziba Kalantar (the 'Landlord') applied for an order to terminate the tenancy and evict Beth Maclaggan (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 19, 2026.

The Landlord and the Tenant attended the hearing.

Preliminary Issue:

1. The Tenant brought up an issue that she had not received compensation from the Landlord prior to the termination date. She clarified that she had not received any compensation from the Landlord.
2. The Landlord confirmed that they had not provided compensation to the Tenant because the Tenant had not vacated the rental unit.
3. Section 83(4) of the *Residential Tenancies Act, 2006* (hereinafter referred to as the "Act") states that "The Board shall not issue an eviction order in a proceeding regarding termination of a tenancy for the purposes of residential occupation, demolition, conversion to non-residential rental use, renovations or repairs until the landlord has complied with section 48.1 in this case." This is a mandatory requirement that needs to be satisfied in order for the Landlord to be successful in his application. Having failed to pay the required compensation, even if the Landlord's intention to reside in the unit is in good faith, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

February 24, 2026

Date Issued

Carrie Bertrand

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.