



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

File Number: LTB-L-085659-25

In the matter of: 61, 3400 PAUL ANKA DR
OTTAWA ON K1V0C9

Between: Regis Désiré Cimpaye Landlords
Gladys Kaneza

And

Maan Rabie Pineda Tenants
Pamela Jane Mendoza

Regis Désiré Cimpaye and Gladys Kaneza (the 'Landlords') applied for an order to terminate the tenancy and evict Maan Rabie Pineda and Pamela Jane Mendoza (the 'Tenants') because:

- the Landlords require vacant possession of the rental unit in order to do major repairs or renovations to the unit.

The Landlords also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on February 23, 2026.

The Landlords, the Tenants' representative Karren Pineda, and the Tenants attended the hearing.

Determinations:

1. On October 31, 2025, the Landlords mailed the Tenants the N13 Notice of Termination (N13 Notice) deemed served on November 5, 2025, with a date of termination of January 31, 2026. The N13 Notice was given in accordance with section 50(1) (c) of the *Residential Tenancies Act, 2006* (the 'Act')
2. Section 54 of the Act requires compensation be given to a tenant when an N13 Notice is served under section 50 of the Act.
3. At the hearing, the Landlords indicated they did not pay compensation to the Tenants because she thought that an order had to be made by the Board first, then she would pay the compensation.

4. Under section 55.1 of the Act, a Landlord must compensate a tenant no later than on the date of termination specified in the notice of termination.
5. The date of termination in the N13 Notice is January 31, 2026. Being that the compensation is a mandatory requirement for the Landlords to be able to proceed with their application for termination of tenancy and the compensation was not paid by the date of termination specified in the N13 Notice, the application must be dismissed.
6. Further, upon review, the N13 Notice is defective because the date of termination as indicated is incorrect.
7. Section 50(2) of the *Residential Tenancies Act, 2006* (the 'Act') states:

The date for termination specified in the notice shall be at least 120 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. 2006, c. 17, s. 50 (2).

8. Section 191(3) of the Act states:

A notice or document given by mail shall be deemed to have been given on the fifth day after mailing.

9. Because the Landlords mailed the N13 Notice to the Tenants, the effective service date is November 5, 2025. This means that in accordance with section 50(2) of the Act, the date of termination should have been March 31, 2026. Because of this the N13 Notice defective.
10. For the reasons as set out above, the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

March 3, 2026
Date Issued

Paula West Oreskovich
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.