



**Order under Section 69 / 88.1 / 90
Residential Tenancies Act, 2006**

File Number: LTB-L-010705-24

In the matter of: 755 CORNELL ROUGE BLVD
MARKHAM ON L6B0K2

Between: Gordon Lee Landlords
Ada Siu

And

Man wa Ng Tenant

Gordon Lee and Ada Siu (the 'Landlords') applied for an order to terminate the tenancy and evict Man wa Ng (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

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

The Landlords also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's conduct or that of another occupant of the rental unit or someone the Tenant permitted in the residential complex. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest.

The Landlords also applied for an order requiring the Tenant to pay the money the Tenant would have been required to pay if the Tenant had not misrepresented their income or that of other members of their household.

This application was heard by videoconference on November 24, 2025.

The Landlord and the Tenant's representative M. Lee attended the hearing.

Note: The application names Schubert Au Yeung as a Tenant. In order LTB-L-092366-23, issued on September 4, 2024, I removed Mr. Au Yeung as a Tenant in all of the Landlord's applications respecting this tenancy. The application is amended to removed Mr. Au Yeung's name.

Determinations:

N5 notice of termination

1. The Tenant vacated the rental unit on January 22, 2025. It is therefore not necessary to consider whether the Landlord has established grounds for terminating the tenancy.

Monetary remedies

Compensation for use of the unit after the termination date in the N5 notice

2. The Landlords filed a ledger showing that the Tenant owes arrears starting in July 2024. The Landlords filed an L1 application (LTB-L-064083-24). The order for the L1 application will address any amounts of rent/compensation owed for the use of the unit from July 2024 up to the date the Tenant vacated the unit and so it is not necessary to direct the Tenant to pay compensation in this order.

Out-of-pocket expenses due to substantial interference

3. The application claims \$50,000.00 for out-of-pocket expenses due to substantial interference because the Tenant allegedly did not permit potential buyers to enter the unit.
4. The Landlords did not identify any expenses in the application and filed no evidence showing that they incurred expenses. I am therefore not satisfied that the Landlords incurred any out-of-pocket expenses due to substantial interference.

The Tenant misrepresented their income

5. Section 90 of the *Residential Tenancies Act, 2006* (the 'Act') provides as follows:

If a landlord has a right to give a notice of termination under section 60, the landlord may apply to the Board for an order for the payment of money the tenant would have been required to pay if the tenant had not misrepresented his or her income or that of other members of his or her household, so long as the application is made while the tenant is in possession of the rental unit.

6. In their application the Landlords apply for \$2,000.00 pursuant to s.90 of the Act. However, the rental unit is not a rental unit described in paragraph 1, 2, 3 or 4 of subsection 7 (1) of the Act (i.e., it is not subsidized) and so the Landlords did not have a right to give a notice of termination under s.60 of the Act. Accordingly, this claim must be dismissed.

Disposition

7. For the above reasons, this application shall be dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

March 2, 2026
Date Issued

Renée Lang
Vice Chair, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.