



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

File Number: LTB-L-088637-25

In the matter of: 354, 3 EVERSON DR
NORTH YORK ON M2N7C2

Between: MIN TU Landlord

And

CHRISTOPHER JONES Tenant

MIN TU (the 'Landlord') applied for an order to terminate the tenancy and evict CHRISTOPHER JONES (the 'Tenant') because:

- the Landlord has entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

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

This application was heard by videoconference on February 10, 2026.

The Landlord's Legal Representative, Rong Wei Yu, the Landlord, the Tenant's Legal Representative, Simon M Brown, and the Tenant attended the hearing.

Determinations:

1. The Landlord served the Tenant with a N12 notice of termination with a termination date of January 15, 2026. The N12 notice was given to the Tenant under section 49 of the *Residential Tenancies Act, 2006* (the 'Act') for "purchaser's own use".
2. The Tenant's Legal Representative raised a preliminary issue in relation to the N12 notice being defective as the termination date on the notice is not the last day of the rental period. They submitted that the last day of a rental period is the 14th day of the month.
3. The Landlord's Legal Representative argued that the termination date is correct because last day of the rental period is the 15th day of each month.
4. Both parties submitted documentation evidence in relation to this issue to support the rental period. The documentation evidence submitted was the tenancy agreement, and a

notice of rent increase. The evidence the parties submitted reflected that the rental period starts on the 15th day of each month.

5. Therefore, I find the rental period would run from the 15th day of each month to the 14th day of the following month.
6. Section 48(2) of the *Residential Tenancies Act, 2006*, states;

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.

7. Therefore, I find that the N12 notice with a termination date of January 15, 2026, does not reflect the proper rental period and the termination date reflected on the notice is not the last day of the rental period.

It is ordered that:

1. The Landlord's application is dismissed.

March 12, 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.