



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-002715-26

In the matter of: 4, 43 TWENTY SECOND ST
ETOBICOKE ON M8V3M2

Between: Ontario Ltd 2333795 Landlord

And

Sean Persaud Tenant

Ontario Ltd 2333795 (the 'Landlord') applied for an order to terminate the tenancy and evict Sean Persaud (the 'Tenant') because:

- the Landlord requires possession of the rental unit in order to convert the unit to a non-residential use.

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 March 12, 2026 at 09:00 am.

The Landlord Representative Giuseppe Rizzuto, the Landlord and the Tenant attended the hearing.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy.
2. The Tenant was in possession of the rental unit on the date the application was filed.

N13 Notice of Termination

3. On January 9, 2026, the Landlord gave the Tenant an N13 notice of termination with the termination date of May 31, 2026 deemed served on the same date. The Landlord claims vacant possession of the rental unit is required for conversion to non residential use.

Conversion

4. It was the Landlord's testimony that they intended to convert the rental unit, a bedroom in a three-bedroom unit, to a storage space for surplus furniture that they supplied to other units within the complex. It was also their testimony that no permits would be required and they chose this particular unit as it was immediately accessible from the hallway enabling easy access.
5. In response the Tenant testified they questioned the good faith of the N13 Notice given the limited details provided and the fact that there were two other rooms within the unit that the Landlord had leased out. They also testified that should the application be granted they be given until August 31, 2026 to find a new rental unit.
6. In response the Landlord reiterated their previous testimony as to the reasoning for the N13 Notice and the Landlord Representative submitted that the Landlord would be open to delaying eviction until June 30, 2026 and anything longer would be prejudicial.
7. Based on the above testimony, I am satisfied that the Landlord requires the rental unit to be vacated because the Landlord in good faith intends to convert it to a non-residential use.
8. The residential complex contains at least five residential units. Therefore, the Landlord is required to compensate the Tenant in an amount equal to three months rent by the termination date or offer the Tenant another rental unit acceptable to the Tenant.

Daily compensation, NSF charges, rent deposit

9. Based on the monthly rent, the daily compensation is \$26.99. This amount is calculated as follows: $\$820.88 \times 12$, divided by 365 days.
10. There is no last month's rent deposit.

Relief from eviction

11. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to postpone the eviction until August 31, 2026 pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. On the condition that the Landlord compensates the Tenant in an amount equal to three months rent by the termination date the Tenancy is terminated.
2. If the Landlord compensates the Tenant pursuant to paragraph 1, the tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before August 31, 2026.
3. If the unit is not vacated on or before August 31, 2026, then starting September 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after September 1, 2026.
5. The Tenant shall also pay the Landlord compensation of \$26.99 per day for the use of the unit starting June 1, 2026 until the date the Tenant moves out of the unit.

March 25, 2026
Date Issued

Kelly Delaney
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 March 1, 2027 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.