



Order under Section 69 Residential Tenancies Act, 2006

Citation: Giovannitti v Buckareff, 2026 ONLTB 23980

Date: 2026-03-20

File Number: LTB-L-108030-25

In the matter of: 3868 REVELSTOKE DR
OTTAWA ON K1V7C4

Between: Diodoro Dorianio Giovannitti
Gemma Mattioli

Landlords

And

Ethan Buckareff
Justin Lowe
Liam Michael McDonald
Matt Morrison
Nolan Giroux-Laplante

Tenants

Diodoro Dorianio Giovannitti and Gemma Mattioli (the 'Landlords') applied for an order to terminate the tenancy and evict Ethan Buckareff, Justin Lowe, Liam Michael McDonald, Matt Morrison and Nolan Giroux-Laplante (the 'Tenants') because:

- the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year.

This application was heard by videoconference on March 17, 2026.

The Landlords and the Tenants attended the hearing.

Determinations:

1. As explained below, the application is dismissed because the N12 notice of termination did not provide a termination date falling on the last day of the rental period being April 30, 2026 as required in Section 48(2) of the *Residential Tenancies Act*, 2006 (the "Act").
2. Section 48 reads as follows:

48(1) A landlord may, by notice, terminate a tenancy if the landlord in good faith requires possession of the rental unit for the purpose of residential occupation for a period of at least one year by,

1. The landlord;
2. The landlord's spouse;
3. A child or parent of the landlord or the landlord's spouse, or
4. A person who provides or will provide care services to the landlord, the landlord's spouse, or a child or parent of the landlord or the landlord's spouse, if the person receiving the care services resides or will reside in the building, related group of buildings, mobile home park or land lease community in which the rental unit is located.

48(2) 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.

3. On December 16, 2026, the Landlords gave the Tenants an N12 notice of termination by depositing same in their mailbox with the termination date of May 1, 2026. The Landlords claim that they require vacant possession of the rental unit for the purpose of residential occupation by the Landlords.
4. The Landlords and Tenants confirmed that the lawful monthly rent was due on the first day of each month.
5. Based on the submissions before me, I find that the lawful monthly rent was due on the first of each month and that the last day of the rental period would be April 30, 2026 and not May 1, 2026 as outlined in the notice. I find that the notice does not comply with section 48(2) of the Act.
6. As such, I find that the notice is defective and as such the application must be dismissed.

It is ordered that:

1. The Landlords' application is dismissed.

March 20, 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.