



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-107804-25

In the matter of: 1, 2199 HALIFAX DR
OTTAWA ON K1G2W4

Between: Maofid Saikaley Landlord

And

Joy Holder Tenant
Matt Duncan

Maofid Saikaley (the 'Landlord') applied for an order to terminate the tenancy and evict Joy Holder and Matt Duncan (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was heard by videoconference on March 18, 2026. The Landlord and the Tenant attended the hearing.

Determinations:

1. This is an application under section 69 of the *Residential Tenancies Act* (the 'RTA') based on section 48. To make an order under section 69 based on section 48, the LTB being satisfied that:
 - (a) the landlord was entitled, based on the identity of the person identified on the N12, to deliver a notice of termination under section 48; **[RTA, s. 48(1)]**
 - (b) the N12 notice delivered by the landlord complied with the technical requirements of the RTA—for example, the termination date is at the end of a period or term and the tenant was given 60 days' notice; **[RTA, ss. 43 and 48(2)]**
 - (c) the L2 was filed within 30 days of the termination date on the N12; **[RTA, s. 69(2)]**
 - (d) the landlord has identified on the L2 all N12 and N13 notices delivered in the previous two years, and provided the required information with respect to each notice; **[RTA, ss. 71.1(3) and (4), and Rules of Procedure, Rule 4.10]**
 - (e) the landlord has provided to the tenant compensation as required by the RTA; **[RTA, ss. 48.1, 55.1, and 83(4)]**

- (f) the landlord has filed an affidavit or declaration by the person who will occupy the unit; and **[RTA, ss. 71.1(1) and 72(1)(a)]**
 - (g) the person identified on the N12 in good faith—genuinely—intends to occupy the unit for residential purposes for a period of at least one year. **[RTA, ss. 48(1) and 72(1)(a)]**
2. In this case, the Landlord (a) did not file the required affidavit or declaration; and (b) did not provide the Tenant with the required compensation. As a result, I have no option but to dismiss the application.

It is ordered that:

1. The application is dismissed.

March 26, 2026
Date Issued

E. Patrick Shea
Vice Chair, Landlord and Tenant Board

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