



**Order under Section 57
Residential Tenancies Act, 2006**

File Number: LTB-T-044705-25

In the matter of: B, 18 MELVILLE AVE
TORONTO ON M6G 1Y2

Between: Erica Barnes Tenant

and

Chrys Soula Aramakis
George Douramakos Landlords

Erica Barnes (the 'Tenants') applied for an order determining that Chrys Soula Aramakis and George Douramakos (the 'Landlords') gave a notice of termination in bad faith.

This application was heard by videoconference on March 5, 2026.

The Tenant Erica Barnes and the Landlord attended the hearing. The Landlords called Alexandra Dourmakos and Stathi Douramakos to testify.

Determinations:

1. To succeed on this application, the Tenant must prove each of the requirements of paragraph 57(1)(a) of the Act on a balance of probabilities:
 - (a) The Landlords gave the Tenants notice of termination under section 48 of the Act (an N12);
 - (b) The Tenants vacated the rental unit as a result of the N12 Notice;
 - (c) No person referred to in subsection 48(1) of the Act occupied the rental unit within a reasonable time after the Tenant vacated; and
 - (d) The Landlords served the N12 Notice in bad faith.
2. The N12 Notice of termination states that the Landlords require possession of the unit for use by their son. The Landlords' son testified that he began to live in the rental unit starting September 2024 which is three months after the Tenant vacated. The second-named Landlord testified, confirmed by documentary proof filed, that those three months were spent doing renovations to the rental unit.

3. The Tenant testified to her belief that the Landlords' son does not in fact live in the rental unit based on her understanding that the Landlords own other properties. The Tenant presented no evidence, oral or otherwise, to show that anyone else lives in the unit or that it was vacant, or listed for rent or sale.
4. The Tenant also pointed out that the Tenant's son has not changed the address on his driver's licence to reflect his new residential address. She also testified that the Landlords had repossessed someone else's rental unit for another of their children. She asked me to infer from this evidence, in combination with the paucity of corroborating proof of residence, that the Landlord's son has not in fact taken up residence in the rental unit. This is not an inference I am prepared to draw in the face of direct testimony from the second-named Landlord, and his son, that he took up residence in September 2024 and continues to live there. Proof of on-line shopping packages delivered to the Landlords' son at the address of the rental unit support this testimony.
5. Guided by section 202 of the Act, I find the application must be dismissed because the Tenant has failed to prove on a balance of probabilities that the person named in the N12 Notice of termination did not occupy the rental unit within a reasonable time or that the Notice was given in bad faith.

It is ordered that:

1. The application is dismissed.

April 1, 2026
Date Issued

Nersi Makki
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.