



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

File Number: LTB-L-007374-26

In the matter of: 31 BYNG AVE
OSHAWA ON L1G3M9

Between: Hamidur Rahman Landlord
MAHMUD SIDDIQUI
G M SAKHAWAT HOSSAIN

And

CHOPRA BHAVIYA Tenant

When the capitalized word “Landlord” is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word “Tenant” is used in this order, it refers to all persons identified as a Tenant at the top of the order.

Hamidur Rahman, MAHMUD SIDDIQUI and G M SAKHAWAT HOSSAIN (the 'Landlord') applied for an order to terminate the tenancy and evict CHOPRA BHAVIYA (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully caused undue damage to the premises;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex used the rental unit or the residential complex in a manner that is inconsistent with use as a residential premises and that has caused or can be expected to cause significant damage.

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 25, 2026.

The Landlords and the Tenant attended the hearing.

Determinations:

Preliminary Issue – Invalid Notice

1. The Board raised a preliminary issue to dismiss the Landlord's applications as the N7 Notice of Termination served upon the Tenant did not properly identify the rental unit as required under s. 43(1)(a) of the *Residential Tenancies Act, 2006* (the 'Act').
2. Pursuant to s. 43 (1) the Act outlines the following regarding a notice of termination:

Notice of termination

(1) Where this Act permits a landlord or tenant to give a notice of termination, the notice shall be in a form approved by the Board, unless the form of the notice is prescribed in which case the notice shall be in the prescribed form, and shall,

- (a) identify the rental unit for which the notice is given;
 - (b) state the date on which the tenancy is to terminate; and
 - (c) be signed by the person giving the notice, or the person's agent. 2006, c. 17, s. 43 (1).
3. The Landlords confirmed that the unit should be identified as the "basement" unit and not simply as 31 BYNG AVE OSHAWA ON L1G3M9 which would signify that the Tenant rented the entire property.
 4. The Tenant confirmed that he resides in the basement rental unit – a unit he referred to as unit #6. The parties confirmed that there are multiple rental rooms on the upper and lower level.
 5. As the identification of the rental unit is a statutory requirement and the N7 notice as served upon the Tenant does not properly identify the Tenant's unit, the application must be dismissed.
 6. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Landlords' application is dismissed.

March 31, 2026
Date Issued

Alicia Johnson
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.