



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-009462-26

In the matter of: 9704 MCLAUGHLIN RD N
BRAMPTON ON L6X0T8

Between: Rudra Maharajh Landlord

And

Dave Gustave Tenants
Karen Gustave

Rudra Maharajh (the 'Landlord') applied for an order to terminate the tenancy and evict Dave Gustave and Karen Gustave (the 'Tenants') because the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit.

This application was heard by videoconference on March 26, 2026. The Landlord and the Tenant, Dave Gustave, attended the hearing.

Determinations:

Preliminary Issue

1. On September 22, 2025, the Landlord gave the Tenants an N13 notice of termination with the termination date of January 31, 2026 (the 'N13 Notice'). The Landlord claims vacant possession of the rental unit is required for extensive repairs or renovations. A summary of the work to be completed as stated in the N13 Notice is as follows:
 - Addition of a basement bathroom
includes framing, plumbing, fixtures, tilework, and painting.
 - Painting of the entire house
All walls on all floors will be repainted and will require full access to the home with walls cleared and furniture moved.
 - Additional / Time-Permitting Work
Installation of a new upstairs light fixture
Finishing the basement laundry room
Replacement of basement carpet with wood or engineered flooring
Removal of popcorn ceilings

2. The N13 Notice is given pursuant to subsection 50 (1) (c), which provides that a landlord may give notice of termination of a tenancy if the landlord requires possession of the rental unit in order to do repairs or renovations that are so extensive that they require a building permit and vacant possession of the rental unit.
3. It was unclear why the Landlord would need vacant possession of the rental unit to do the work described in the N13 Notice, especially since half the work was described as work that may not even be completed and was essentially work that the Landlord would do if he had time.
4. The Landlord submitted that he was unaware that the work had to be so extensive that it required vacant possession of the rental unit and a building permit and acknowledged that, while not ideal, arrangements and precautions could be taken so that the work could be completed while the Tenants continued to reside in the rental unit.
5. As the Landlord could not establish that the Landlord in good faith intends to do repairs or renovations that are so extensive that they require a building permit and vacant possession of the rental unit, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 7, 2026
Date Issued

Rachel Gibbons
Member, Landlord and Tenant Board

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