



Order under Section 69 Residential Tenancies Act, 2006

Citation: Reid v Black, 2026 ONLTB 28101

Date: 2026-04-09

File Number: LTB-L-004338-26

In the matter of: 353 KINMOUNT CRES
OSHAWA ON L1J3T8

Between: Lindsay Reid Landlord

And

Adam Black Tenant

Lindsay Reid (the 'Landlord') applied for an order to terminate the tenancy and evict Adam Black (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 April 1, 2026.

The Landlord and the Tenant attended the hearing. The Tenant was supported by Hana Prentice.

The Landlord identified having restrictions related to autism and Aspergers syndrome and that she may need breaks having to attend to her baby if needed. Accommodation was provided as requested.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the application is dismissed.

N12 Notice of Termination

On December 9, 2025, the Landlord gave the Tenant an N12 notice of termination with the termination date of February 28, 2026. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential occupation by her child.

2. Subsection 48.1 states, “A landlord shall compensate a tenant in an amount equal to one month’s rent or offer the tenant another rental unit acceptable to the tenant if the landlord gives the tenant a notice of termination of the tenancy under section 48. 2017, c. 13, s. 8.”; and
3. Subsection 55.1 of the Act states, “If the landlord is required to compensate a tenant under section 48.1, 52, 54 or 55, the landlord shall compensate the tenant no later than on the termination date specified in the notice of termination of the tenancy given by the landlord under section 48 or 50.”; and
4. Subsection 83(4) of the Act states, “The Board shall not issue an eviction order in a proceeding regarding termination of a tenancy for the purposes of residential occupation, demolition, conversion to non-residential rental use, renovations or repairs until the landlord has complied with section 48.1, 49.1, 52, 54 or 55, as the case may be. 2017, c. 13, s. 17; 2020, c. 16, Sched. 4, s. 17 (1)”.
5. The Board must be satisfied, before issuing an order terminating the tenancy that the Landlord has complied with section 48.1 and 55.1 which requires a landlord to compensate the tenant, equivalent to one month rent, before the termination date on the N12 Notice.
6. The Landlord testified she has not compensated the Tenant an amount equal to one month's rent as mandated by section 48.1 of the Act. Consideration was given to the Landlord's February 23, 2026 text that she wanted to meet to inspect the unit and pay the compensation if the Tenant vacated. The February 23, 2026 text from the Tenant informed the Landlord he was not moving out and the Landlord concedes she made no other attempt or effort to pay the compensation by any other method.
7. Since the termination date has passed, section 55.1 of the Act has not been satisfied. The Board has no jurisdiction to issue an order for eviction.
8. The merit of the Landlord's application was not considered.

It is ordered that:

1. The application is dismissed.

April 9, 2026
Date Issued

Sandra Macchione
Vice Chair, 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.