



Order under Section 69 Residential Tenancies Act, 2006

Citation: Khoshkhou v Dasu, 2026 ONLTB 28980

Date: 2026-04-13

File Number: LTB-L-005912-26

In the matter of: 1711, 101 PRUDENTIAL DR
SCARBOROUGH ON M1P4S5

Between: Hanieh Khoshkhou Landlord

And

Yasar Dasu Tenant
Marufabanu Shaikh

Hanieh Khoshkhou (the 'Landlord') applied for an order to terminate the tenancy and evict Yasar Dasu and Marufabanu Shaikh (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 7, 2026.

The Landlord and the Tenant's Legal Representative, Naseer Ahmed, attended the hearing.

Determinations:

1. As explained below, the application is dismissed because the N12 Notice of Termination (N12 Notice) did not provide a termination date falling on the last day of the rental period as required under section 48(2) of the *Residential Tenancies Act, 2006* (the 'Act').
2. Section 48(2) reads as follows:

(2) The date of termination specified in the notice shall be at least 60 days after the notice is given **and** shall be the day a period of the tenancy ends or, where the tenancy is for a fixed term, the end of the term.

[emphasis added]

3. On January 20, 2026, the Landlord served the Tenant an N12 Notice by mail and email with a date of termination of May 18, 2026. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential occupation by a parent.
4. The Landlord confirmed that the lawful monthly rent was due on the first day of each month.
5. The Landlord submitted she gave the Tenant well over the 60 days' notice therefore was unaware that the date of termination still needed to be on the last date of the rental period.
6. Although the Tenant did give more than 60 days' notice, that notice still needs to fall on the last day of a rental period. In this case, as the rent is due on the first day of each month, then the last date of the rental period for this notice would have been May 31, 2026, and not May 18, 2026. Therefore, I find that the notice does not comply with Section 48(2) of the Act and that notice is defective.
7. As such the application must be dismissed.

It is ordered that:

1. The application is dismissed.

April 13, 2026
Date Issued

Paula West Oreskovich
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.