



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-006615-26

In the matter of: B2, 408 Sunnyside Avenue
Ottawa ON K1S0S7

Between: Mary Dalipaj Landlord

And

Taylor Besharah Tenant

Mary Dalipaj (the 'Landlord') applied for an order to terminate the tenancy and evict Taylor Besharah (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 8, 2026.

Only the Landlord attended the hearing.

As of 9:36 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. On December 30, 2025, the Landlord gave the Tenant an N12 notice of termination with the termination date of March 1, 2026.
2. Section 48 of the *Residential Tenancies Act, 2006* ('the Act') sets out that a Landlord may terminate a tenancy if the Landlord in good faith requires possession of the rental unit for the purposes of residential occupation by the Landlord. The section goes on to specify that the termination date on the Notice to Terminate at End of the Term for Landlord's or Purchaser's Own Use (Form N12) must be at least 60 days after the notice is given and must be the day a period of the tenancy ends.
3. The Landlord testified that the tenancy is month to month, and rent is due on the first of every month. This means the period of the tenancy is monthly, and the period of the

tenancy begins on the first day of the month and ends on the last day of the month. Therefore, to be in compliance with section 48 of the Act, the termination date on the Landlord's N12 notice must be the last day of the month. In this case, as the termination date of the notice was not the last day of the month, the notice is in contravention of section 48 of the Act.

4. The Landlord's application must therefore be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 15, 2026
Date Issued

Allana McComb
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.