



Order under Section 69 Residential Tenancies Act, 2006

Citation: Animashaun v Pegg, 2026 ONLTB 33906

Date: 2026-05-01

File Number: LTB-L-095769-25

In the matter of: Front Unit, 10 Lailey St
St. Catharines ON L2M 5G8

Between: Olayinka Animashaun Landlord

And

Harold Pegg Tenant

Olayinka Animashaun (the 'Landlord') applied for an order to terminate the tenancy and evict Harold Pegg (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 February 23, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On August 14, 2025, the Landlord gave the Tenant an N12 notice of termination with the termination date of October 31, 2025. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential occupation by her son.
4. The Landlord has not proven that they in good faith require possession of the rental unit for the purpose of her son's residential occupation for a period of at least one year.
5. The intended occupant of the rental unit is Daramola Christopher Animashaun. Mr. Animashaun was not present at the hearing to testify. He provided a declaration in support of the Landlord's application. The declaration states that, as of November 14, 2025, Mr. Animashaun was living in Calgary, Alberta, and would be moving back to St. Catharines,

Ontario, in December 2025, “in preparation for [his] basic military training in Quebec”. The declaration does not contain a statement by Mr. Animashaun of his intention to reside in the rental unit for a period of at least one year.

6. The Landlord testified at the hearing. She testified that her son is currently was living in a military location in Quebec and that his girlfriend has remained in Alberta.
7. No first-hand evidence was led about Mr. Animashaun’s intention to reside in the rental unit for a period of at least one year. The second-hand evidence provided by the Landlord was vague and inconclusive, and does not necessarily speak to her son’s actual designs for the rental unit. As such, the Landlord has not proven the grounds of her application, and therefore it must be dismissed.

It is ordered that:

1. The Landlord’s application is dismissed.

May 1, 2026
Date Issued

Jeremy Henderson
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.