



AMENDED
Order under Section 69
Residential Tenancies Act, 2006
And section 21.1 of the Statutory Powers Procedures Act

File Number: LTB-L-094978-25

In the matter of: BASEMENT, 4 APOLLO DR RD
MARKHAM ON L4E4C2

Between: GUO ER GEORGE ZHANG Landlord

And

ROSA ROMERO Tenant

The order contained a clerical error, this amended order was issued to correct the order dated April 2, 2026. The amendments are underlined for ease of reference.

GUO ER GEORGE ZHANG (the 'Landlord') applied for an order to terminate the tenancy and evict ROSA ROMERO (the 'Tenant') because:

- the Landlord requires possession of the rental unit in order to demolish the unit;
- the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on February 12, 2026.

Only the Landlord and the Landlord's Legal Representative John Tao attended the hearing.

As of 9:39 AM, 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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore the application will be granted.
2. The Tenant was in possession of the rental unit on the date the application was filed.

3. On August 18, 2025, the Landlord gave the Tenant an N13 notice of termination with the termination date of December 31, 2025 and indicates that the Landlord intends to do repairs or renovations so extensive that they are required to get a building permit and the rental unit must be vacant to do the work.
4. The Landlord testified that the repairs are ordered to be carried out pursuant to an order issued by the City of Markham Building Department, pursuant to the *Building Code Act*, 1992, and as such the Landlord is not required to provide the Tenant with compensation pursuant to the Act.
5. The Landlord testified that the rental unit is located in the basement of a single family home.
6. The Landlord states that a fire occurred in the single family home on August 16, 2025. As a result of the fire an inspection occurred and the City of Markham Building Department deemed the building unsafe for occupancy and issued order 25 133581 under the *Building Code Act*.
7. The Landlord testified that his insurance company needs full access to the entire building to remove drywall and ceiling sections in the basement rental unit to fully assess the damages and future repairs required before a building permit can be obtained and that the Tenant has refused to vacate the rental unit despite the order issued by the City of Markham.
8. Based on the uncontested evidence before me I am satisfied 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. I am satisfied that the Landlord has taken all reasonable steps to obtain the necessary permits for this work, but is at an impasse and can not move forward until the Tenant vacates.
9. The Tenant has the right to move back into the rental unit when the repairs or renovations are completed at a rent that is no more than what the Landlord could have lawfully charged if there had been no interruption in the tenancy. The Tenant must give the Landlord notice in writing of the Tenant's intent to move back into the unit before vacating the rental unit. The Tenant must inform the Landlord in writing of any change in address.

Daily compensation

10. The Tenant was required to pay the Landlord \$1,837.82 in daily compensation for use and occupation of the rental unit for the period from January 1, 2026 to February 12, 2026.
11. Based on the monthly rent, the daily compensation is \$42.74. This amount is calculated as follows: \$1,300.00 x 12, divided by 365 days.
12. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
13. There is no last month's rent deposit.

Relief from eviction

14. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
15. The Landlord seeks termination of the tenancy as soon as possible to begin repairs that occurred to the property as a result of a fire. The Tenant did not attend the hearing to provide submissions regarding their circumstances and the Landlord's Legal Representative was unaware of any circumstances to consider with respect to relief from eviction.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 13, 2026.
2. If the unit is not vacated on or before April 13, 2026, then starting April 14, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. The Tenant shall pay to the Landlord \$1,837.82, which represents compensation for the use of the unit from January 1, 2026 to February 12, 2026 less any amounts previously paid.
4. The Tenant shall also pay the Landlord compensation of \$42.74 per day for the use of the unit starting February 13, 2026 until the date the Tenant moves out of the unit.
5. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
6. The total amount the Tenant must pay the Landlord is \$2,023.82.
7. If the Tenant does not pay the Landlord the full amount owing on or before April 13, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 14, 2026 at 4.00% annually on the balance outstanding.

April 2, 2026

Date Issued

May 7, 2026

Date Order Amended

Sean Ramage

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on October 14, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.