



Order under Section 69 Residential Tenancies Act, 2006

Citation: Potter c/o Sleepwel Property Management v Stringer, 2026 ONLTB 37719

Date: 2026-05-11

File Number: LTB-L-039592-25

In the matter of: 1, 86 FOURTH AVE
OTTAWA ON K1S2L2

Between: Evan Potter c/o Sleepwel Property Management Landlord

And

Lisa Stringer Tenant

Evan Potter c/o Sleepwel Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Lisa Stringer (the 'Tenant') because 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 March 5, 2026.

The Landlord's legal representative, Michael Thiele, the Landlord's witness, Isaac Smith, the tenant and the Tenant's legal representative, Katherine Smith, attended the hearing.

Determinations:

1. At the onset of the hearing the Landlord requested to adjourn the hearing on the basis that they had not yet obtained the required permits necessary pursuant to section 73 of the *Residential Tenancies Act, 2006* (the 'Act') and they required additional time to obtain such permits. They also were not sure of when they would get the permits as there are many different people working on the project including engineers, contractors and city officials.
2. They explained that there is an extensive timeline with the city and that they are hopeful to have the permits, but they have been frustrated by the bureaucracy with the city and all involved trades with getting the required permits. They filed for permits in August of 2025 and have still not yet received them despite countless efforts with the city back and forth.
3. The Tenant opposed the adjournment on the basis that they submit the Landlord should already have the permits because of the timing of the service of the N13 Notice for on March 31, 2025 and they suggest the notice was given prematurely in this regard and the

they would consent to the Landlord withdrawing the application on this basis but would not agree to adjourn the hearing. The Tenant also submits that the notice lacks sufficient particulars with respect to the required work and alternatively the application ought to be dismissed on this basis.

4. It is worth noting that this matter had already been adjourned on consent on September 9, 2025 because the Landlord had not yet obtained the necessary permits relating to the N13 notice. This application had been filed on May 13, 2025.
5. I would agree with the Tenant that the N13 Notice lacks sufficient particulars in that it does not clearly articulate that there will be a complete demolition and removal of the basement in the Tenants unit nor does the notice contemplate the new entry access or the rearranging of almost the entire main floor of the unit.
6. Based on the reasons above, I am not satisfied that adjourning the hearing would be procedurally fair for either party as there is a deficiency in the Landlord's current notice of termination for lack of sufficient pleadings in the notice. Accordingly, the request to adjourn the hearing was denied.
7. While I can accept that the Landlord is struggling to obtain the necessary permits, it is procedurally unfair to have the Tenant sit in waiting and having to attend numerous hearings on the basis that the Landlord is unable to obtain the necessary permits since service of the notice on March 31, 2025. The Landlord has had almost a year to obtain the permits and has not.
8. Since the Landlord admittedly does not have the necessary permits required pursuant to section 73 of the Act, the application must be dismissed.
9. At the hearing the Tenant confirmed that they had received a compensation cheque from the Landlord in the amount of \$1,710.42 dated June 17, 2025, but they had not yet cashed the cheque.
10. At the hearing the Tenant confirmed that they would return the uncashed and likely stale-dated cheque to the Landlord by March 12, 2026. Accordingly, I will not order the return of the compensation.
11. An oral decision was given at the hearing and this order reflects my decision.

It is ordered that:

1. The Landlord's application is dismissed.

May 11, 2026
Date Issued

Terri van Huisstede
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.