



Order under Section 57 Residential Tenancies Act, 2006

File Number: LTB-T-070189-25

In the matter of: 609, 234 ALBION ROAD
ETOBICOKE ON M9W6W5

Between: Abdulkadir Yassin Tenants
Nadira Yassin

And

Kunle Alake Landlord

Abdulkadir Yassin and Nadira Yassin (the 'Tenants') applied for an order determining that Kunle Alake (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on April 8, 2026.

Only the Tenant Abdulkadir Yasin attended the hearing.

As of 2:23 p.m., the Landlord 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 Tenants' evidence.

Determinations:

1. As explained below, the Tenants did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
2. The Landlord served the Tenants with an N12 notice of termination on August 22, 2025, with a termination date of October 31, 2025.
3. The Tenants filed their T5 application, that the Landlord gave a notice of termination in bad faith on August 22, 2025, the same date they were served with the Landlord's N12 notice of termination.
4. Subsection 57(1)(a) of the *Residential Tenancies Act, 2006* (the 'Act') requires the Tenants to prove each of the following on a balance of probabilities:
 - The Landlord gave the Tenants an N12 notice of termination under section 48 of the Act;
 - The Tenants vacated the rental unit as a result of the N12 notice of termination;

- No person referred to in subsection 48(1) of the Act occupied the rental unit within a reasonable time after the Tenant vacated; and
 - The Landlord served the N12 notice of termination in bad faith.
5. The Tenants had not vacated the rental unit at the time they filed their application, as such the Tenants' application is not properly before me, and must be dismissed.

It is ordered that:

1. The Tenants' application is dismissed.

May 15, 2026
Date Issued

Sean Ramage
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.