



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-016197-26

In the matter of: 251 BARTHOLOMEW ST
BROCKVILLE ON K6V2S7

Between: Mary Coville Landlord

And

Kayla Gibson Tenant

Mary Coville (the 'Landlord') applied for an order to terminate the tenancy and evict Kayla Gibson (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 May 20, 2026.

The Landlord, the Tenant's Representative, Francis Dobri, and the Tenant attended the hearing.

Determinations:

1. The Landlords served the Tenant an N12 Notice of Termination under section 48 of the *Residential Tenancies Act, 2006* ('Act') because the Landlord's son wanted to move into the rental unit.
2. Section 48.1 of the Act states that, "a landlord shall compensate a tenant in the amount equal to one month's rent or offer the tenant another rental unit acceptable to the tenant if the landlord gives the tenant a notice of termination of the tenancy under section 48".
3. Section 55.1 of the Act requires that compensation under section 48.1 be paid to the tenant no later than on the termination date specified in the notice of termination. In the present case, the termination date in the N12 Notice of Termination is April 30, 2026.
4. At the hearing (held after the termination date in the N12 Notice), the Landlord confirmed that they did not pay the Tenant any compensation under section 48.1 and did not offer the Tenant an alternative unit.

5. Therefore, I find that the Landlord has not satisfied a statutory requirement for this application and the application cannot proceed.

It is ordered that:

1. The Landlord's application is dismissed.

May 28, 2026
Date Issued

Colette Myers
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.