



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-109191-25

In the matter of: Basement, 14 GINGER CRT
GUELPH ON N1G5B3

Between: Reza Zeini Landlord

And

Thair Patros Tenant

Reza Zeini (the 'Landlord') applied for an order to terminate the tenancy and evict Thair Patros (the 'Tenant') because the Landlord requires possession of the rental unit in order to demolish 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, the Landlord's legal representative, Zeeshan Rahman, and the Tenant attended the hearing. The Landlord also had the following witnesses at the hearing, Chris Catteau (CC) and Jeremy Laur (JL). The Tenant also spoke with Tenant Duty Counsel on the hearing date.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy or the claim for compensation 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 and remained in possession of the rental unit as of the hearing date.
3. On July 18, 2025, the Landlord gave the Tenant an N13 notice of termination with the termination date of November 30, 2025 which is deemed served by mail on July 23, 2025. The Landlord claims vacant possession of the rental unit is required for demolition.
4. The rental unit is a self-contained unit in the basement of the house. The Landlord submits that demolition is required to comply with a City of Guelph compliance order as no permits were obtained to convert the basement into a self-contained unit.

5. Rather than perform the necessary work in the unit to comply, the Landlord instead intends on demolishing the rental unit.
6. At the onset of the hearing the Tenant raised a preliminary issue with respect to whether or not the Landlord has obtained the necessary permits to do the work. For the reasons that follow, I do not find that the Landlord has obtained all of the necessary permits to do the work or has taken all reasonable steps to obtain the necessary permits for the work.
7. The “work” identified in the Landlord’s N13 Notice are as follows:

Upon being granted vacant possession the landlord SHALL commence the following work, in lieu of the compliance order from the City of Guelph.

1. Remove the kitchen cabinets, counter, sink, stove and fridge with the basement unit, permanently.
 2. Remove the electrical line from the stove to the electrical panel.
 3. Remove the separating wall between the bedroom and the living room of the basement unit.
 4. Remove the door separating the basement unit and main floor unit, and the basement unit will be merged with the top floor unit, bringing the entire property back to a single family dwelling use.
 5. The basement unit will no longer continue to exist as a separate, independent rental unit.
8. The Notice also indicates that the Landlord has “obtained the necessary building permits or other authorization to convert, demolish or repair the rental unit.”
 9. At the hearing, the Landlord also testified that they plan on removing the entire bathroom including the plumbing fixtures and walls and that they also intended on tearing out all of the flooring in the unit and convert the entire basement to an area for storage only. They intend on removing the walls in the basement and all of the kitchen cabinets and countertops and removing the fridge and stove. They also intend on removing the door between the upper and lower unit to comply with safety standard and fire separation.
 10. The Landlord testified that they originally obtained a permit dated October 22, 2021 (PERMIT NUMBER: 21 004370 000) to do all of the work required to make the basement a legal apartment. Shortly thereafter, the Landlord requested to cancel the permit on May 29, 2022 and then applied for a second permit with the intention of removing the fridge and stove to comply with the City of Guelph violation notice dated December 10, 2020.
 11. The Landlord has obtained a permit only for the removal of the stove and sink. The permit is dated May 7, 2024 under Permit Number: 22 002739 000. This is the second permit and the last permit obtained by the Landlord to do the required work. They have neither inquired as to what additional permits or revisions may be required for their current permit in order to remove the walls and bathroom in the basement.
 12. At the hearing, the Landlord’s witness, Chris Catteau (CC) who works for the City of Guelph building department as a technical lead of residential building inspectors, testified

that if the Landlord plans on removing the walls and other finishes in the basement, then the Landlord must request to revise their current permit to do so. Additionally, they testified that for demolition, the Landlord would require a demolition permit for the work, but that would mean that the Landlord was completely removing the entire basement including the walls and structural elements which is not the case here.

13. The Landlords other witness, Jeremy Laur (JL), is the Chief Building Official with the City of Guelph. He testified that if the Landlord wants to complete the work of removing the walls and the bathroom, then they must apply for a revision of their current permit to do so or they may even have to apply for another permit for the work. He stated it is not as simple as amending the current permit, it would require a revision with appropriate approvals from the City.
14. Accordingly, based on the overwhelming evidence provided by the City on what is required regarding permits, I am unable to find that the Landlord has obtained all of the necessary permits to complete the work.
15. While the Landlord submits that they do have the necessary permits to comply with the City of Guelph order to comply by removing the fridge, stove and the kitchen sink and countertop, and that for all intents and purposes this would essentially be demolition of the rental unit, I do not agree. I cannot overlook the fact that the Landlord testified that they were removing the entire existence of any remnant of a rental unit in the basement which included removing the bathroom, walls, flooring and appliances. They have clearly not obtained all of the necessary permits to do the work they intend to do.
16. Additionally, the Landlord appeared surprised at the hearing to learn that they would have to apply for a revision of their current permits to take down the walls and remove the bathroom. This clearly indicates that they have not taken all of the necessary steps required to obtain the required permits.
17. For all of the above, the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

May 25, 2026
Date Issued

Terri van Huisstede
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.