



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-017413-26

In the matter of: 959 Visiting Road
North Grenville ON K0G1J0

Between: Darryl w Peebles Landlords
Nancy L Peebles

And

Donald Ramsey Tenants
Jenna Baker

Darryl w Peebles and Nancy L Peebles (the 'Landlords') applied for an order to terminate the tenancy and evict Donald Ramsey and Jenna Baker (the 'Tenants') 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 25, 2026.

The Landlord's attended the hearing.

The Tenant's Legal Representative, Grace George and the Tenants attended the hearing.

Preliminary Issue:

1. I raised a preliminary issue that the L2 application names the Landlord's as Darryl Peebles and Nancy Peebles and, the N12 names the Landlord as Nancy Peebles only and states the person intending to move into the rental unit is her spouse.
2. The tenancy agreement names the Landlords as Darryl Peebles and Nancy Peebles. DOC-8017262, Page 4-9.
3. The Landlords assert that Nancy Peebles is the owner of the rental unit and should be the only named Landlord. They assert that during the tenancy her spouse, Darryl Peebles as acted as her representative.
4. The Tenant's Legal Representative asserts that the N12 names Nancy Peebles as the Landlord and the person intending to occupy the rental unit is her spouse, however, the

declaration was filed by Nancy Peebles and stated that she intends to move into the rental unit in good faith for a minimum of twelve months. There was no declaration filed from her spouse, Darryl Peebles.

5. The Tenant's Legal Representative asserts the declaration was not completed by the person who intends to move into the rental unit.
6. The Landlords assert that either Nancy Peebles or Darryl Peebles will move back into the rental unit, and as far as they are concerned confusion on who is moving into the rental unit does not make a difference in this application. The Landlords states that Darryl Peebles will first move back into the rental unit and then Nancy Peebles will move back in at a later date.
7. The Landlord, Nancy Peebles filed a declaration with the application stating she was moving into the rental unit, however, the N12 states her spouse is moving into the rental unit, not herself.
8. Pursuant to section 71.1 of the Act, the Landlords is required to file the affidavit at the same time the Landlords files the application with the Board.
9. Application based on a certain notice, affidavit under section 72(1):

71.1 (1) A landlord who, on or after the day subsection 11 (1) of Schedule 4 to the Protecting Tenants and Strengthening Community Housing Act, 2020 comes into force, files an application under section 69 based on a notice of termination given under section 48 or 49 shall file the affidavit required under subsection 72 (1) at the same time as the application is filed.

10. Section 72(1)(b) of the RTA states:

The Board shall not make an order terminating a tenancy and evicting the tenant in an application under section 69 based on a notice of termination under section 49, unless the Landlord has filed with the Board an affidavit sworn by the **person who personally requires the rental unit** certifying that this person in good faith requires the rental unit for his or her own personal use.

11. Since the Landlords failed to provide the required declaration from Darryl Peebles, this application cannot proceed.
12. The Landlords may serve a new N12 and file a new L2 application with the Board.
13. The Landlords were encouraged to seek legal advice regarding the preparation of their paperwork if they chose to refile. They were provided the information for the Landlord's Self Help Centre as shown on their Notice of Hearing.

It is ordered that:

1. The Landlord's application is dismissed without prejudice.

June 2, 2026

Date Issued

Trish Carson

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.