



Order under Section 69 Residential Tenancies Act, 2006

Citation: Janssen v Filip, 2026 ONLTB 42072

Date: 2026-06-02

File Number: LTB-L-006784-26

In the matter of: 207 NORTH ST
PORT PERRY ON L9L1B7

Between: Anthony Janssen Landlord

And

Crystal Filip Tenants
Michael Filip

Anthony Janssen (the 'Landlord') applied for an order to terminate the tenancy and evict Crystal Filip and Michael Filip (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 26, 2026.

The Landlord's Legal Representative, Ibrahim Shoukry, the Landlord, the Tenants' Legal Representative, Melissa Mason and the Tenants attended the hearing.

Preliminary Issue:

1. At the commencement of the hearing, the Tenants' Legal Representative stated that the N12 misidentified the Landlord as an individual (Anthony Janssen) when in fact the Landlord of the rental property is 1656763 Ontario Inc. Ms. Mason provided a copy of the lease between the parties which confirms that the Landlord is 1656763 Ontario Inc. and she further submitted that rent is always paid to that corporation.
2. Ms. Mason argued that the Landlord in this matter is a corporation and is not permitted to serve an N12 notice for these purposes because of section 48(5) of the *Residential Tenancies Act*, 2006 (hereinafter referred to as the "Act"). She requested that I dismiss the application based on her submissions.

3. Section 48(5) of the Act states: “This section does not authorize a landlord to give a notice of termination of a tenancy with respect to a rental unit unless, a) the rental unit is owned in whole or in part by an individual, and b) the landlord is an individual.”
4. The Landlord’s Legal Representative argued that the property is owned by Anthony Janssen and he provided a copy of the parcel register and tax and water bills for the property in Mr. Janssen’s name.
5. Mr. Shoukry confirmed that the lease set out the Landlord as the corporation number and provided a letter from the Landlord’s accountant explaining the reasons for that specific ownership structure. The letter stated that “Mr. Janssen uses his holding company, 1656763 Ontario Inc. to collect rent for both properties” and that it was “established solely to centralize rental income, simplify bookkeeping and support consistent financial planning.”
6. Mr. Shoukry argued that the Act allows a property to have more than one Landlord and that is the case in this matter where the corporation is simply a tool to collect rent and it has no legal interest in the property. Based on his submission, he believes that the N12 notice is valid and that the application should proceed.
7. Section 48(5)(a) of the Act requires that the property be owned in whole or in part by an individual and based on the parcel register, it is clear that the owner is Anthony Janssen. Section 48(5)(b) of the Act requires that the Landlord be an individual and in this case, the Landlord is a corporation. The lease makes it clear that the Landlord is a corporation and rent is paid directly to that corporation.
8. Both portions of section 48(5) of the Act must be satisfied for a Landlord to be able to serve an N12 notice of termination on the Tenant. As section 48(5)(b) has not been satisfied, the application must be dismissed.

It is ordered that:

1. The Landlord’s application is dismissed.

June 2, 2026

Date Issued

Carrie Bertrand

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.