



Order under Section 69 Residential Tenancies Act, 2006

Citation: Cornelius v Bailey, 2026 ONLTB 42187

Date: 2026-06-03

File Number: LTB-L-019736-26

In the matter of: E6, 400 Westwood Drive East
Cobourg ON K9A2V6

Between: Ashley Cornelius Landlords
Andrea Cornelius

And

Norman Bailey Tenant

Ashley Cornelius and Andrea Cornelius (the 'Landlords') applied for an order to terminate the tenancy and evict Norman Bailey (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 26, 2026.

The Landlords, the Tenant's support person, Chris Bailey and the Tenant attended the hearing.

Preliminary Issue:

1. The Tenant brought up a preliminary issue and stated that he had not received any compensation from the Landlord.
2. The Landlord, Ashley Cornelius submitted that he did not have to provide any compensation to the Tenant because he was still in the rental unit and that the Tenant did not pay a last month's rent deposit.
3. Section 48.1 of the *Residential Tenancies Act*, 2006 (hereinafter referred to as the "Act") states "A landlord shall compensate a tenant in an 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 of the Act.
4. Further, the N12 notice of termination sets out on page 2 that the landlord must pay an amount equal to one month's rent by the termination date in the notice.

5. As the Landlord has failed to comply with the mandatory requirement of the payment of compensation to the Tenant, this application must fail.

It is ordered that:

1. The Landlord's application is dismissed.

June 3, 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.