



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

File Number: LTB-L-013094-26

In the matter of: 152 Wellington Street
Lucan ON N0M2J0

Between: Lorraine Christie Landlord
John Christie

And

Stuart MacGillivray Tenant
Sharon MacGillivray
Sarah Learn
Rob Doucette

Lorraine Christie and John Christie (the 'Landlord') applied for an order to terminate the tenancy and evict Stuart MacGillivray, Sharon MacGillivray, Sarah Learn and Rob Doucette (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 5, 2026.

The Landlord, the Landlord's support person, Gretchen Cartwright, and the Tenant, Stuart MacGillivray, attended the hearing.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the tenancy is terminated effective May 31, 2026.

N12 Notice of Termination

Landlord's Own Use

2. On October 28, 2025, the Landlord gave the Tenant an N12 notice of termination deemed served on October 28, 2025, with the termination date of January 31, 2026. The Landlord claims that they require vacant possession of the rental unit for the purpose of residential

occupation by the Landlord.

3. The Landlord testified that they needed the rental unit to be closer to their son, and they have already sold their home in Bayfield, ON. They are currently residing in a caravan in the parked in their son's driveway and state that this is not a sustainable living option for much longer. They stated that they intend to reside in the rental unit indefinitely.
4. The Tenant testified that he has no reason to believe that the Landlord has made their application in bad faith or evidence that the Landlord doesn't intend on residing in the rental unit.
5. The Tenant states that they have already found a new rental unit, however, they required more time to move. The Tenant requested a delayed termination date until the end of May to allow them time to move their belongings.
6. The Landlord in good faith requires possession of the rental unit for the purpose of their own residential occupation for a period of at least one year.
7. The Landlord has compensated the Tenant an amount equal to one month's rent by January 31, 2026.

Rent Deposit

8. The Landlord collected a rent deposit of \$2,500.00 from the Tenant and this deposit is still being held by the Landlord. There is no interest owing on the deposit.

Relief from Eviction

9. I have considered all the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
10. At the hearing the Tenant testified that they have secured another unit and are in the process of moving, but they require time to move items to their new unit. The Tenant asked that the eviction be delayed to the end of May. As the date of this order exceeds the time requested by the Tenant, there is no need to exercise my discretion under s. 83 of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 31, 2026.
2. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after June 1, 2026.
4. The Landlord shall pay the Tenant the rent deposit being held in the amount of \$2500.00 on or before June 21, 2026.
5. If the Landlord does not pay the Tenant the full amount owing on or before June 25, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 26, 2026, at 4.00% annually on the balance outstanding.

June 9, 2026
Date Issued

Chris Hall
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on December 1, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.