



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-038997-26

In the matter of: 388 WINFIELD TERR
MISSISSAUGA ON L5R1N8

Between: Nasrin Ghaznavi Landlord

And

Eman Mohammed Tenant
Ilham Mohammed
Glen George
Abdelraouf Mohammed

Nasrin Ghaznavi (the 'Landlord') applied for an order to terminate the tenancy and evict Eman Mohammed, Ilham Mohammed, Glen George and Abdelraouf Mohammed (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.

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 June 22, 2026.

The Landlord's Legal Representative, Ajitinder Grewal, the Landlord's Power of Attorney, Maha Ghaznavi, and the fourth named Tenant attended the hearing. The Tenants' representative, Ahmed Mohammed, spoke on behalf of all the Tenants. The Landlord's daughter, Tara Choudri ('TC'), testified on behalf of the Landlord.

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. Relief from eviction is granted in the form of delay to August 31, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On March 9, 2026, the Landlord gave the Tenant an N12 Notice of Termination ('N12 Notice') with the termination date of May 14, 2026. The Landlord claims that they require

vacant possession of the rental unit for the purpose of residential occupation by Tara Choudri, the daughter of the Landlord. I am satisfied the Landlord served a valid N12 Notice. I am further satisfied that the requirements of s.72(1) of the Act have been met.

4. It was undisputed that the Landlord compensated the Tenants in accordance with section 48.1 of the *Residential Tenancies Act, 2006* (the 'Act') by waiving the monthly rent in the amount of \$2,300.00 on May 15, 2026.
5. The Tenants do not dispute that at the time the Landlord served the N12 Notice to the Tenants, that the Landlord was acting in good faith in that the Landlord's daughter, Tara Choudri, in good faith, requires the rental unit for residential purposes for a period of at least one year. As the good faith intentions are not in dispute, the Landlord's application for eviction is granted.
6. The issue between the parties involves relief from eviction.

Relief from Eviction

7. The Landlord is requesting an 11-day standard order. TC testified that she has been separated from her husband since 2024 and remains in the matrimonial home with her children. The matrimonial home is financially supported by her husband who is unable to meet the financial obligations for the home and needs it to be listed for sale as soon as possible, or they face the risk of losing it. TC says they are in a dire financial situation. TC would like to list as soon as possible, but TC has been waiting for a Board order before listing. Once the house sells, TC will move into the rental unit where she will not be paying any rent.
8. The Tenants are requesting 90-120 days as they still have not yet found a suitable rental unit. The Tenants position is that since they were served the N12 Notice on March 9, 2026, they immediately began their search for a rental unit. There are 5 adults, and two children, and they require a large house to accommodate everyone which has made the search more difficult, as well as the fact that the rental market has doubled since they first began renting from the Landlord over 11 years ago. The Tenants have recently pivoted to purchasing a rental unit, as the amount they have been paying in rent would cover a mortgage. They currently have viewings booked.
9. The Tenants have been paying their rent and living in the rental unit for 11 years. Based on the evidence before me, the Tenants have been looking for a rental unit since the N12 Notice has been served. Since the market has changed and rent has doubled, it has been difficult for the Tenants to find another rental unit to suit their family needs. Now that there is a Board Order for eviction, TC is able to list the matrimonial house for sale and alleviate the financial burden. As both parties have school aged children, I find it reasonable to delay the eviction to August 31, 2026.
10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act, and find that it would not be unfair to postpone the eviction until August 31, 2026 pursuant to subsection 83(1)(b) of the Act.

Compensation and Last Month's Rent Deposit

11. The Landlord indicates the Tenants have their rent paid in full up to the rental period ending July 14, 2026.
12. The Landlord collected a rent deposit of \$2,300.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$459.39 is owing to the Tenant for the period from July 15, 2015 to June 22, 2026.
13. Based on the monthly rent, the daily compensation is \$75.62. This amount is calculated as follows: $\$2,300.00 \times 12$, divided by 365 days.

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 August 31, 2026.
2. If the unit is not vacated on or before August 31, 2026, then starting September 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 September 1, 2026.
4. The Tenant shall also pay the Landlord compensation of \$75.62 per day for the use of the unit starting June 23, 2026, minus any rent paid, until the date the Tenant moves out of the unit.
5. The Landlord owes \$2,759.39 which is the amount of the rent deposit and interest on the rent deposit, and this is deducted from any rent amount owing by the Tenant up to the date the Tenant vacates the rental unit.

June 25, 2026
Date Issued

Paula West Oreskovich
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 March 1, 2027 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.