



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-01999-21

In the matter of: 3 GARTHSON GATE
BRAMPTON ON L6P2S7

Between: Varshaben Goswami Landlords
Atulpuri Goswami

and

Antonio Pafore Tenants
Pauline Lowe

and Varshaben Goswami and Atulpuri Goswami (the 'Landlords') applied for an order to terminate the tenancy and evict Pauline Lowe and Antonio Pafore (the 'Tenants') because the Landlord requires possession of the rental unit for the purpose of residential occupation.

This application was heard by way of video conference on October 14, 2021. Only the Landlord Atulpuri Goswami attended the hearing.

Determinations:

1. The application is based on an N12 Notice of Termination served on the Tenants on August 8, 2021, with a termination date of October 15, 2021. The N12 indicates that the Landlord's child requires possession of the rental unit.
2. The Landlords filed an affidavit sworn by the Landlord's daughter certifying that she in good faith requires the rental unit for his or her own personal use pursuant to Section 72(1)(b) of the *Residential Tenancies Act, 2006* (Act).
3. The Landlord paid the Tenant compensation equal to one month's rent by way of waiving the Tenants' obligation to pay rent for September 2021 pursuant to section 48.1 of the Act.
4. The Landlord testified that his daughter has moved from Thunder Bay to Brampton for work and as such, requires the rental unit for her own use. The Landlord's daughter is currently renting a basement apartment in Brampton and is prepared to move into the rental unit once the Tenant vacates.

5. The Landlord stated that he has spoken with the Tenants regarding his daughter moving in and that the Tenant's advised they needed additional time. At the hearing the Landlord stated that he was willing to extend the termination date to November 15, 2021.
6. Based on the uncontested evidence I am satisfied that the Landlord's daughter in good faith requires the rental unit for her own use for a period of at least one year. The Tenants were not present at the hearing to dispute the Landlord's allegations or advise the Board of any reason to delay the termination date further.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated, as of November 26, 2021. The Tenants must move out of the rental unit on or before November 26, 2021.
2. If the unit is not vacated on or before November 26, 2021, then starting November 27, 2021, the Landlords 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 Landlords on or after November 27, 2021.

November 15, 2021
Date Issued



Fabio Quattrociochi
Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

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 expires on May 27, 2022 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.