



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

**File Number:** TSL-22168-21

**In the matter of:** ROOM 2, 42 GALLEY AVENUE  
TORONTO ON M6R1G8

**Between:** Hussain Hussain Landlord

**and**

Philip Thong Tenant

Hussain Hussain (the 'Landlord') applied for an order to terminate the tenancy and evict Philip Thong (the 'Tenant') because the Landlord requires possession of the rental unit for the purpose of residential occupation.

This application was heard via videoconference on July 27, 2021 at 9:00 a.m.

The Landlord, represented by Natasha Mizzi, a licensed Paralegal, the Tenant, Philip Thong, represented by Gabriel Calderon, a student-at-law, supervised by Samuel Mason, both from Parkdale Community Legal Services, attended the hearing.

**Preliminary Issue:**

1. The Tenant's representative submitted that the Form N12 – Notice to End your Tenancy Because the Landlord, a Purchased or a Family Member Requires the Rental Unit ( the "notice") did not properly identify the unit the Tenant occupies, and sought to have the application dismissed.

**Determinations:**

1. The Residential Tenancies Act 2006 (the "Act") Section 43 (1) permits a landlord to give a notice of termination provided that
  - “the notice shall be in a form approved by the Board and shall,
  - (a) identify the rental unit for which the notice is given;
  - (b) state the date on which the tenancy is to terminate; and
  - (c) be signed by the person giving the notice, or the person's agent.”
2. The N12 Notice that was served on the Tenant is in a form approved by the Board, states the date the date on which the tenancy is to terminate and is signed by the person giving the notice.

3. The unit identified in the Notice is “Peter is renting the second floor back room”.
4. As “Peter” is not party to this application, and this specific unit is not the subject of this application, I find the Notice to be defective.

**It is ordered that:**

1. The Landlord's application is dismissed.

**November 17, 2021**  
**Date Issued**

A rectangular box containing a handwritten signature in blue ink. The signature is stylized and appears to read 'Pavlovic'.

Peter Pavlovic  
Member, Landlord and Tenant Board

Toronto South-RO  
15 Grosvenor Street, 1st 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.