



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-17235-20

In the matter of: 22 CARTIER DRIVE
THOROLD ON L2V4K9

Between: Tien Nguyen Landlord

and

Quang Hoang Tenants
Thi Kim Dung Nguyen

Tien Nguyen (the 'Landlord') applied for an order to terminate the tenancy and evict Thi Kim Dung Nguyen and Quang Hoang (the 'Tenants') because the Landlord intends to do major repairs or renovations to the rental unit.

This application was heard by videoconference on November 3, 2021. The Landlord attended and was represented by Andy Le. The Tenant attended and was represented by Taylor Robinson.

The hearing was translated by Vietnamese translator Tom Lai.

Preliminary Issue:

1. At the outset of the hearing the Tenant's Representative raised the issue of a defective Notice to End the Tenancy (N13) served on the Tenant, pursuant to sec. 43 (2) of the *Residential Tenancies Act, 2006* (the 'Act').
2. On the N13 the Landlord selected Reason 2: "I require the rental unit to be vacant in order to do repairs or renovations so extensive that I am required to get a building permit and the rental unit must be vacant to do the work."
3. The N13 served on the Tenant by the Landlord, and filed with the Board by the Landlord in support of their application, is completely blank where the Landlord is to describe the details of Work Planned and Details of the Work.
4. I canvassed the Landlord's Representative and he argued that until such time as the details were finalized and the permits were obtained, there were no details to include. He advised the extent of the renovations and permits were disclosed to the Tenant subsequent to the Case Management Hearing, as directed by the Interim order issued on March 3, 2021.

5. I do not accept the Landlord's Representative's argument. It is not difficult to briefly describe the anticipated renovations the Landlord intends to complete in order to comply with the statutory notice requirements. The application may be amended at a later time to reflect updates to the scope of work.
6. Accordingly, I find the Notice to End the Tenancy defective on its face, and the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.
2. On or before November 30, 2021, the Tenant shall return to the Landlord any funds advanced to him as compensation pursuant to sec. 52 of the Act.
3. If the Tenant does not pay the Landlord the full amount owing on or before November 30, 2021, the Tenant shall start to owe interest. This will be simple interest calculated from December 1, 2021 at 2.00% on the balance outstanding.

November 9, 2021
Date Issued



Dawn King
Member, Landlord and Tenant Board

Southern-RO
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.