



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-92329-20

In the matter of: 154 FANDANGO DRIVE
BRAMPTON ON L6X0P7

Between: Jasinthan Gopalapillai

and

Faiz Siddiqui
Farah Mohammed

**I hereby certify this is a
true copy of an Order dated**

02/08/2021

Landlord and Tenant Board

Landlord

Tenants

Jasinthan Gopalapillai (the 'Landlord') applied for an order to terminate the tenancy and evict Farah Mohammed and Faiz Siddiqui (the 'Tenants') because the Landlord requires possession of the rental unit for the purpose of residential occupation. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on January 21, 2021.

The Landlord, the Landlord's legal representative, Arun Kumar, the Tenants, and the Tenants' legal representative, Randy McLin, attended the hearing.

Determinations:

1. The Landlord's application is dismissed.

2. Section 48.1 of the Act states:

A landlord shall compensate a tenant in an amount equal to one month's rent or offer the tenant another rental unit acceptable to the tenant if the landlord gives the tenant a notice of termination of the tenancy under section 48.

3. Section 55.1 of the Act states:

If the landlord is required to compensate a tenant under section 48.1, 49.1, 52, 54 or 55, the landlord shall compensate the tenant no later than on the termination date specified in the notice of termination of the tenancy given by the landlord under section 48, 49 or 50.

4. Section 83 (4) of the Act states:

The Board shall not issue an eviction order in a proceeding regarding termination of a tenancy for the purposes of residential occupation, demolition, conversion to non-residential rental use, renovations or repairs until the landlord has complied with section 48.1, 49.1, 52, 54 or 55, as the case may be.

5. The Landlord did not pay the Tenants an amount equal to one month's rent prior to the termination date in the notice of termination. The Landlord also did not offer the Tenants another rental unit acceptable to them.
6. For these reasons the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.



February 8, 2021
Date Issued

Richard Ferriss
Member, Landlord and Tenant Board

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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.