



Social Justice Tribunals Ontario

Providing fair and accessible dispute resolution

Landlord and Tenant Board

Form L2

Application to End a Tenancy and Evict a Tenant

Instructions

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When to use this application

You can use this application to apply to the Landlord and Tenant Board (LTB) for one of the following reasons:

- you gave the tenant a Notice to End your Tenancy for any reason, except non-payment of rent (*Form N4*),
- the tenant has abandoned the rental unit, or
- the tenant occupies the superintendent's unit and their employment as superintendent ended more than 7 days ago.

You can also use this form to apply to the LTB for an order requiring the tenant to pay you:

- compensation for each day they remain in the rental unit after the termination date set out in the *Notice to End your Tenancy*,
- compensation for damage the tenant, their guest, or another occupant of the rental unit caused to the rental unit or to the residential complex,
- the additional amount the tenant would have been required to pay had the tenant not misrepresented their income or that of their family in a Rent-Geared-to-Income rental unit, and/or
- the bank charges and related administration charges for NSF cheques the tenant gave you.

You cannot file this application if the tenant has moved out of the rental unit, unless you are applying because you believe the tenant has abandoned the rental unit. If the tenant has already moved out, you can apply to court for any money the tenant owes you.

Note: If you are filing the *Form L2 Application to End a Tenancy and Evict a Tenant* after giving the tenant a *Notice to End your Tenancy*, you must file the *Form L2* no later than 30 days after the termination date set out in the *Notice to End your Tenancy*.

Steps you must take before filing the application

There are no steps you are required to take before applying to the LTB if you are applying:

- to end a tenancy because you believe the tenant has abandoned the rental unit,
- to end the tenancy because the tenant's employment as superintendent has ended, or
- for compensation for damage or misrepresentation of income, and you are **not** applying to end the tenancy.

If you are applying to end a tenancy and evict a tenant for any of the other reasons on *Form L2*, before you apply, you must give the tenant one or more of the following *Notices to End your Tenancy*:

- **Form N5** *Notice to End your Tenancy for Interfering with Others, Damage or Overcrowding,*
- **Form N6** *Notice to End your Tenancy for Illegal Acts or Misrepresenting Income in a Rent-Geared-to-Income Rental Unit,*
- **Form N7** *Notice to End your Tenancy for Causing Serious Problems in the Rental Unit or Residential Complex,*
- **Form N8** *Notice to End your Tenancy at the End of the Term,*
- **Form N12** *Notice to End your Tenancy Because the Landlord, a Purchaser or a Family Member Requires the Rental Unit, and/or*
- **Form N13** *Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use.*

You must also complete a *Certificate of Service* showing how and when you gave the tenant the *Notice to End your Tenancy*.

Read the instructions for the notice you gave to the tenant carefully to determine how many days' notice you must give the tenant and whether and how long you must wait to file this application. All [Notices to End your Tenancy](#) and the [Certificate of Service](#) are available from the LTB website at sjto.ca/ltb.

SECTION C

How to complete this application

Read these instructions before completing the application form. You are responsible for ensuring that your application is correct and complete. Follow the instructions carefully when you complete the application form.

The information you fill in on the form will be read electronically; therefore, it is important to follow the instructions below:

- Print clearly or type and do not touch the edges of the boxes.
- If there are more boxes in a line than you need, start from the left and leave the extra boxes blank.
- Do not fill in boxes that do not apply to you (for example, if you do not have a fax number, do not fill in boxes in the space marked "Fax Number").
- If the instructions tell you to shade a box or a circle (for example, circles marked "Yes" or "No"), shade the box or circle completely.

Does the Tenant Still Live in the Rental Unit?

Shade either the **Yes** or **No** circle to answer whether or not the tenant is still living in the rental unit on the date you file this application. The tenant must still be in possession of the rental unit when you file this application, **unless** you are applying because you believe the tenant has abandoned the rental unit.

PART 2: APPLYING TO END A TENANCY

Shade the appropriate box or boxes to indicate what you are applying for.

Reason 1: I gave the tenant one of the following *Notices to End your Tenancy*.

If you selected *Reason 1*, shade the box(es) to indicate which *Notice(s) to End your Tenancy* you gave the tenant. Fill in the termination date set out in the *Notice to End your Tenancy*.

Reason 2: I believe the tenant abandoned the rental unit.

If you selected *Reason 2*, explain why you believe the tenant abandoned the rental unit.

Reason 3: The tenant occupies a superintendent's unit and their employment as superintendent ended.

If you selected *Reason 3*, fill in the date when the tenant's employment as superintendent ended. Unless the landlord and the superintendent agree otherwise, the superintendent's tenancy ends on the day their employment ends. The superintendent has one week from that date to move out of the rental unit. You cannot charge the superintendent rent for that period. If the superintendent does not move out by the end of the seventh day, you can file this application.

PART 3: APPLYING TO COLLECT MONEY THE TENANT OWES YOU

You can apply to collect money the tenant owes you, whether or not you are also applying to end the tenancy and evict the tenant.

You can apply to collect money the tenant owes you for the following reason(s):

- compensation for each day the tenant remains in the rental unit after the termination date set out in the *Notice to End your Tenancy*,
- compensation for damage the tenant, their guest, or another occupant of the rental unit caused to the rental unit or to the residential complex,
- the additional amount the tenant would have been required to pay had the tenant not misrepresented their income or that of their family in a Rent-Geared-to-Income rental unit,
- the bank charges and related administration charges for NSF cheques the tenant gave you.

You **cannot** apply to collect money the tenant owes you if the tenant has moved out of the rental unit.

Note:

- You can only apply for compensation for charges related to NSF cheques if you are also applying for compensation for each day the tenant remains in the rental unit after the termination date set out in the *Notice to End your Tenancy*.
- The most the LTB can order based on your claim is \$25,000. If you believe the tenant owes you more than \$25,000, and you want to collect the full amount, you should apply to court and not to the LTB. Once the LTB issues an order based on your application, you no longer have any claim to amounts greater than \$25,000 from your tenant.

Shade the appropriate box or boxes to indicate the reason(s) for which you believe the tenant owes you money.

Compensation

Shade this box if you are applying after giving the tenant a *Notice to End your Tenancy* and you want the tenant to pay you compensation for each day they remain in the rental unit after the termination date.

Damage

Shade this box if you want the tenant to pay you for the costs necessary to repair or replace damaged property. Also, fill in the total amount the tenant owes you. Explain in detail what damage occurred to the property and how you calculated the costs you are claiming to repair or replace the damaged property. Be specific; for example, include the cost for each repair, or the cost to replace each damaged item.

If you have not yet done the repairs or made the replacements, you should attach estimates of the repair costs or the costs to replace damaged items to your application.

Misrepresentation of income

Shade this box if the tenant lives in a rent-geared-to-income rental unit and has misrepresented their income or that of family members living in the rental unit. Fill in the amount the tenant must pay you, and explain how you calculated this amount in detail. This amount must be based on the difference between the amount of rent the tenant paid and the amount the tenant should have paid based on their actual income.

NSF cheque related charges

Shade this box if the tenant made a payment by cheque that was returned to you because of non-sufficient funds (NSF), and the tenant(s) has not paid you back for the charges related to the NSF cheque. If the tenant does not owe you anything related to NSF charges, leave this section blank.

If the tenant owes you for NSF charges, complete the table to show how you calculated the amount the tenant owes you. Fill in one row of the table for each NSF cheque the tenant gave you. Include the following information:

- the amount of the cheque,
- the date of the cheque,
- the date the bank charged you for the NSF cheque (under *Date NSF Charge Incurred*),
- the amount the bank charged you for the NSF cheque (under *Bank Charge for NSF Cheque*),
- the amount of your related administration charges (under *Landlord's Administration Charge*),

Note: A landlord's administration charge for NSF cheques can include your personal or corporate costs related to the handling of NSF rent cheques. For example, this charge may include the costs for additional accounting expenses or tenant notification in cases of NSF cheques. The **maximum** administration charge for an NSF cheque allowed by the *Residential Tenancies Act, 2006* is \$20 per cheque.

- Calculate the amounts for each row in the *Total Charge* column by adding the amount for *Bank Charge for NSF Cheque* and the amount for *Landlord's Administration Charge*. Do **not** include the *Cheque Amount*.
- Calculate the amount for *Total NSF Related Charges Owing* by adding the amounts you filled in the *Total Charge* column.

Example: Stan Petri, the landlord, served Jean Jasper, the tenant, with a *Form N8 Notice to End your Tenancy at the End of the Term* for persistent late payment of rent on December 15, 2015. On December 31st, Jean gave Stan a cheque for \$1000, dated January 1, 2016 for January's rent, but the cheque was returned NSF. As a result, the bank charged Stan an NSF fee of \$5; the fee appeared on his bank statement on January 14th. Stan also had costs related to handling the NSF cheque. Jean paid Stan the rent for January, but did not pay the charges related to the NSF cheque. Stan applied to end the tenancy and for compensation for an overholding tenant. In his claim for compensation, Stan wanted to include the NSF fee and a related administration charge of \$20.

Stan filled out the table below to show how he calculated the amount for charges related to the NSF cheque:

Cheque Amount \$	Date of Cheque dd/mm/yyyy	Date NSF Charge Incurred dd/mm/yyyy	Bank Charge for NSF Cheque \$	Landlord's Administration Charge \$	Total Charge \$
1,000.00	01/01/2015	14/01/2015	5.00	20.00	25.00
	/ /	/ /	.	.	.
	/ /	/ /	.	.	.
Total NSF Related Charges Owing \$					25.00

Information about the Tenant's Rent and Rent Deposit

If you are applying to collect money the tenant owes you, the LTB will subtract any rent deposit and interest you owe the tenant from the amount the tenant owes you. If you did not collect a rent deposit, leave these boxes blank.

If you collected a rent deposit from the tenant:

- first, fill in the current rent that you charge your tenant
- next, fill in the amount of rent that you are *currently* holding as a rent deposit,
- next, fill in the date you collected the rent deposit,
- finally, if you have paid the tenant interest on the rent deposit, fill in the start date and end date of the last period for which you paid the tenant interest on the rent deposit.

Example: When Jean Jasper moved in on January 1, 2014, Stan Petrie collected a \$1000 rent deposit for the last month's rent. On January 1, 2015, he paid interest on the deposit for the period from January 1, 2014 to December 31, 2014. The current rent charged is still \$1000 per month. Stan has not paid any interest for 2015 yet. Stan would complete this part of the form as follows:

Information about the tenant's rent and rent deposit	
Provide the following information to help the Board determine the amount of money the tenant may owe you.	
The current rent is:	\$ <input type="text" value="1"/> <input type="text" value="0"/>
The amount of rent on deposit:	\$ <input type="text" value="1"/> <input type="text" value="0"/>
The date the rent deposit was collected:	<input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/> <small>dd/mm/yyyy</small>
The last rental period for which the tenant was paid interest on the rent deposit:	<input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/> to <input type="text" value="3"/> <input type="text" value="1"/> / <input type="text" value="1"/> <input type="text" value="2"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/> <small>dd/mm/yyyy</small>

PART 4: SIGNATURE

If you are the landlord, shade the circle marked "Landlord". Then, sign the application form and fill in the date.

If you are the landlord's representative, shade the circle marked "Representative". Then, sign the application form and fill in the date

SCHEDULE A – ADDITIONAL INFORMATION: ENDING A TENANCY FOR DEMOLITION, REPAIRS OR CONVERSION TO ANOTHER USE

Complete this form **only** if you are applying to end a tenancy and evict a tenant based on a reason in *Form N13: Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use*.

Part A: Permits

If you intend to demolish a rental unit, convert a rental unit to a non-residential use, or do repairs or renovations extensive enough to require the rental unit to be vacant, you will likely be required to obtain a building permit or some other form of authority (normally from the municipality) before doing the work.

If it is not possible to obtain the permits or other authority until the unit is vacant, the LTB will not issue an order terminating the tenancy and evicting the tenant unless you have taken all reasonable steps to obtain the permits or other authority. If you are not sure what permits or other authorities are required to do the work, you should contact your municipality. If you do not bring the permits or other authority to the hearing, or cannot show you took all reasonable steps to obtain them, the LTB may dismiss your application.

Shade either the **Yes** or **No** circle to answer whether you have obtained the necessary permits or other authority to do the work.

If you answered **Yes**, you must bring 3 copies of the permits to the hearing: one for yourself; one for the tenant; and, one for the LTB.

If you answered **No**, you must obtain the necessary permits or have taken all reasonable steps to obtain the permits by the date of the hearing. If you obtain the permits by the date of the hearing, you must bring 3 copies to the hearing: one for yourself; one for the tenant; and, one for the LTB.

Part B: Compensation

In most cases, if the rental unit is located in a residential complex that contains at least five residential units, you will either have to pay the tenant compensation for requiring the tenant to move out, or offer the tenant another rental unit acceptable to the tenant. The LTB will not issue an order terminating the tenancy and evicting the tenant if you haven't either paid the tenant the required compensation, or offered the tenant another acceptable rental unit.

Unless one of the two exceptions set out in this part of the form applies, you are required to compensate the tenant as follows:

- If you are applying to end the tenancy because you intend to demolish or convert the rental unit or complex, either you must give the tenant an amount equal to three months' rent, or you must offer the tenant another rental unit that is acceptable to the tenant.
- If you are applying to end the tenancy because you intend to **repair or renovate the rental unit and the tenant does not give you written**

notice that they will be moving back into the rental unit once the repairs or renovations are complete, you must either give the tenant an amount equal to three months' rent, or offer the tenant another rental unit that is acceptable to the tenant.

- If you are applying to end the tenancy because you intend to **repair or renovate the rental unit and the tenant has given you written notice that they will be moving back** into the rental unit once the repairs or renovations are complete, you must give the tenant either an amount equal to three months' rent, or an amount equal to the rent for the period of time the rental unit will be under repair or renovation, whichever is less.
- If you are applying to end the tenancy because you intend to **demolish, convert, repair or renovate a site on which a tenant-owned mobile home or land lease community home is located**, you must give the tenant either an amount equal to one year's rent, or \$3,000, whichever is less.

If you have paid the tenant compensation, shade the circle on the form and fill in the amount you paid.

If you have offered the tenant another rental unit and the tenant has accepted it, shade the circle on the form.

Note: If the tenant lives in a care home, you must make reasonable efforts to find alternative accommodation for the tenant that meets their care needs. If you have made reasonable efforts but have not found appropriate accommodation, or if the tenant does not accept the accommodation you found, you will have to pay the tenant compensation as set out above.

Exceptions:

If one of the following exceptions applies to your situation, you do not have to compensate the tenant or offer the tenant another rental unit. Shade the appropriate box to indicate which of the two exceptions applies:

- The rental unit is located in a residential complex that has fewer than 5 rental units,

Note: If the residential complex was created by severing property less than 2 years ago, and before it was severed the complex had more than 5 units, but now it has fewer than 5 units, you must compensate the tenant.

or

- You are demolishing, or repairing the rental unit because you were ordered to do so under a municipal property standards by-law, or another authority.

SCHEDULE B – ADDITIONAL INFORMATION – ENDING A TENANCY FOR LANDLORD’S OWN USE

Complete this form **only if**:

- you are applying to end a tenancy because you, or someone in your immediate family or a person providing care service to you or your family member is moving into the rental unit (Form N12), and
- you gave this notice of termination to the tenant on or after September 1, 2017.

You do not have to complete this form if:

- You gave the tenant the Form N12 notice of termination before September 1, 2017.
- You gave the tenant the Form N12 notice of termination because the purchaser or a member of the purchaser’s family wants to move into the rental unit.

You must indicate on the form whether you:

- paid the tenant the compensation and the amount paid; or
- offered the tenant another rental unit and the tenant has accepted it; or
- will be paying the tenant compensation and the amount that will be paid.

Important: The LTB will not issue an order ending the tenancy and evicting the tenant unless you have:

- compensated the tenant in an amount equal to one month’s rent or offered them another rental unit that is acceptable to them; **and**
- filed a declaration signed by the person who wants to move into the rental unit. The declaration must be submitted to the LTB before or at the hearing. In the declaration, the person who intends to move in must say that he or she, in good faith, requires the rental unit for his or her own use for a period of at least one year. (Instead of a declaration you can file a sworn affidavit. The affidavit must be sworn or affirmed before a Notary Public or Commissioner of Oath.)

REQUEST FOR ACCOMMODATION OR FRENCH-LANGUAGE SERVICES

The LTB wants to ensure that everyone who uses its services can ask for and receive accommodation and/or French Language services in order to be able to participate in its proceedings on an equal basis.

Shade the appropriate box or boxes on the form to indicate whether you need accommodation under the Ontario *Human Rights Code*, French-language services or both. The LTB will not include a copy of this form when we give the other parties a copy of the application form. However, the information will be included in your application file. The file may be viewed by other parties to the application.

If you require accommodation under the *Human Rights Code*, explain what services you need in the space provided.

PAYMENT AND SCHEDULING INFORMATION FORM

Complete this form to provide the LTB with the information required to process your application. Your application will not be accepted if you do not pay the application fee at the time you file the application. If you owe money to the LTB as a result of failing to pay a fee or any fine or costs set out in an order, your application may be refused or discontinued.

You may request a fee waiver if you meet the financial eligibility requirements set out by the LTB. You will need to complete the [Fee Waiver Form](#) which is available from the LTB website at sjto.ca/ltb. For more information about fee waivers and the eligibility criteria, go to the fee waiver rules and practice direction on the [Rules of Practice](#) page of LTB website.

Part 1: Payment Method

Shade the appropriate box to show whether you are paying by cash, debit card, money order, certified cheque, Visa or MasterCard. You cannot pay by cash or debit card if you are filing your application by fax or mail. If you are paying by credit card, include the cardholder's name and signature, the card number and expiry date. The information you fill in on this part of the form is confidential. It will be used to process your application, but will not be placed on the application file.

Part 2: Information Required to Schedule the Hearing

The LTB will normally schedule your hearing between 3 weeks and 6 weeks after the date you file your application. The LTB will schedule your hearing on the first available hearing date within this 3 week period. If there are any dates that you are not available during this 3 week period, list them here. The LTB will not schedule your hearing on the date(s) you indicate you are not available and will schedule your hearing on the next available hearing date. **The LTB will not contact you to schedule a hearing.**

SECTION

D

What to include when you file your application

To file this application, you must include the following:

- The completed L2 application form,
- The application fee (listed on the cover page of the application).

If you are applying based on a *Notice to End your Tenancy* you gave the tenant, you must also include:

- A copy of the *Notice to End your Tenancy* you gave to the tenant
- A copy of the *Certificate of Service* showing how and when you gave the tenant the *Notice to End your Tenancy*, and

- The documents below that are specific to your reason for filing the application:

Form N5 Notice to End your Tenancy for Interfering with Others, Damage or Overcrowding:

- If this is the second *N5 notice* you have given the tenant within the last six months, you must also attach:
 - A copy of the previous notice you gave the tenant, and
 - A copy of the *Certificate of Service* showing how and when you gave the tenant the previous *Form N5 notice*.

Form N6 Notice to End your Tenancy for Illegal Acts or Misrepresenting Income in a Rent-Geared-to-Income Rental Unit:

- If this is the **second notice of termination** you have given the tenant within the last six months, and the first notice of termination was a *Form N5 notice* which the tenant voided by correcting the problem, you must also attach:
 - A copy of the *Form N5 notice* that you gave the tenant, and
 - A copy of the *Certificate of Service* showing how and when you gave the tenant the *Form N5 notice*.

Form N12 Notice to End your Tenancy Because the Landlord, a Purchaser or a Family Member Requires the Rental Unit:

- A declaration or affidavit signed by the person who wants to move in. The LTB cannot issue an order ending the tenancy unless it receives this document by the date of the hearing. In the declaration or affidavit, the person who intends to move in must say that he or she, in good faith, requires the rental unit for his or her own use. The declaration and [affidavit forms](#) are available from the LTB website at sjto.ca/ltb.

Note: The landlord, a purchaser, or a family member includes the purchaser's immediate family, the landlord or purchaser's child or parent, the landlord or purchaser's spouse or the spouse's child or parent.

Form N13 Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use:

- A copy of the completed *Schedule A – Additional Information Ending a Tenancy for Demolition, Repairs or Conversion to Another Use* form located at the end of the *Form L2* application.

Your application will be refused if any of the required items listed above are missing.

SECTION**E****How to file your application**

You can file your application one of the following ways:

1. e-File

Complete and pay your L2 application online using [LTB e-File](#).

If you e-File your application you must pay by credit card or debit card.

2. In Person at the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you file your application in person at a LTB office, you can pay the application fee by cash, debit card, certified cheque, money order, Visa or MasterCard.

3. By Mail

Mail your L2 application to the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you mail your application, you can pay the application fee by certified cheque or money order, Visa or MasterCard.

4. By Fax

You can fax your application to the nearest LTB office.

To find a list of LTB [office fax numbers](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you fax your application you can pay the application fee by Visa or MasterCard.

Certified cheques and money orders must be made payable to the *Minister of Finance*.

SECTION**F****What to do if you have any questions**

You can visit the LTB website at: [sjto.ca/ltb](#)

You can call the LTB at 416-645-8080 from within the Toronto calling area, or toll-free at 1-888-332-3234 from outside Toronto, and speak to one of our Customer Service Officers.

Customer Service Officers are available Monday to Friday, except holidays, from 8:30 a.m. to 5:00 p.m. They can provide you with **information** about the *Residential Tenancies Act* and the LTB's processes; they cannot provide you with legal advice. You can also access our automated information menu at the same numbers listed above 24 hours a day, 7 days a week.