



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-084065-25

In the matter of: BASEMENT UNIT, 7 TROYER AVE
NORTH YORK ON M3J0A5

Between: Natasha Lange Landlord

And

AISAN KAMALIFAR Tenant

Natasha Lange (the 'Landlord') applied for an order to terminate the tenancy and evict AISAN KAMALIFAR (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 17, 2025.

Only the Landlord attended the hearing.

As of 1:55 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. As a result, the hearing proceeded with only the Landlord's evidence.

Board records show that the Tenant emailed the Board a Request to Reschedule a Hearing on December 12, 2025. The Landlord did not consent and the Tenant did not attend the hearing to request an adjournment. Given the findings below, there is no need to address this request in the order.

Determinations:

Preliminary Issue

1. At the outset of the hearing, the Landlord was asked to explain the discrepancy between the N4 Notice and the L1 application with regards to the rental unit. The Landlord indicates that the rental unit is the basement unit on the L1 application but the N4 Notice does not identify the rental unit as the basement unit.
2. Section 43 of the *Residential Tenancies Act*, 2006 (the "Act") provides a notice of termination must contain certain information as follows:

43 (1) Where this Act permits a landlord or tenant to give a notice of termination, 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.

[Underlining added]

3. Strict compliance is required with section 43 of the Act. A notice of termination which does not comply with the mandatory content requirements of the Act is void and cannot be amended or corrected. [See *Bianchi v. Aguanno*, 1983 CanLII 1967 (ON SC); (1983), 42 O.R. (2d) 76 (Div Ct.), and *Vu v. Kiumarsi*, 2021 CanLII 115915 (ON LTB) at para. 7]
4. The Landlord confirmed at the hearing that the rental unit is the basement unit.
5. The Tenant was not present to waive the prejudice they may have experienced in their ability to participate in the proceedings. As such, I find the N4 Notice invalid as the notice did not specify the rental unit as the basement unit. A tenancy cannot be terminated based on an invalid N4 Notice.
6. I delivered my decision about the invalidity of the N4 Notice at the hearing. The Landlord sought to withdraw this application instead of proceeding for arrears only. In accordance with subsection 200(4) of the Act, I consent to the withdrawal of the application.

It is ordered that:

1. The Landlord's application is dismissed as withdrawn.

January 7, 2026
Date Issued

Vicky Liu
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground 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.