



Order under Section 69 Residential Tenancies Act, 2006

Citation: LUX Place L.P. v Gour, 2026 ONLTB 1045

Date: 2026-01-08

File Number: LTB-L-080928-25

In the matter of: 202, 1250 Cummings Avenue
Ottawa ON K1J0E3

Between: LUX Place L.P. Landlord

And

Tyler Gour Tenant

LUX Place L.P. (the 'Landlord') applied for an order to terminate the tenancy and evict Tyler Gour (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on December 18, 2025.

Only the Landlord's Agent, Cora Wallace-Wade, attended the hearing.

As of 2:01 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

Determination:

1. Section 43(1)(c) of the *Residential Tenancies Act*, 2006 (the 'Act') requires that a notice of termination be signed by the person giving the notice or an agent of the person. In this case, the N4 notice of termination that was uploaded to the Portal was not signed.
2. The Landlord's Agent was provided an opportunity to establish that the N4 notice that was served to the Tenant was signed. The Landlord's Agent was unable to do so.
3. I was not satisfied that the Tenant was served a signed copy of the N4 notice of termination and therefore I find that the notice of termination was not valid.
4. Because the Board is unable to issue an order for eviction based on an invalid notice, the Landlord's Agent was offered the choice of proceeding with the L1 application based on a request for the arrears only or withdrawing the application.
5. The Landlord's Agent sought to withdraw the application, and I consented to the request.

It is ordered:

1. The Application is dismissed as withdrawn.

January 8, 2026
Date Issued

Nicole Pedron
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.