



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-085126-25

In the matter of: Lower Unit, 127 Boullee St.
London ON N5Y1T8

Between: Carlos Fabian Diaz Landlord

And

Kristyn Arthur Tenant
Lindsay Taylor

Carlos Fabian Diaz (the 'Landlord') applied for an order to terminate the tenancy and evict Kristyn Arthur and Lindsay Taylor (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 22, 2025.

Only the Landlord's Legal Representative, Syboney Hines, attended the hearing.

As of 3:08 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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

Preliminary Issue: N4 notice Validity

1. At the hearing, I raised with the Landlord the fact that it appeared that the N4 notice's termination date was only 13 days from when the N4 was given, rather than the 14 days required by the *Residential Tenancies Act, 2006*.
2. The Landlord acknowledged that the N4 notice was not valid and chose to proceed with an application for arrears only.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$1,500.00. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$49.32. This amount is calculated as follows: \$1,500.00 x 12, divided by 365 days.

6. The Landlord stated that the Tenant had made a payment in the amount of \$1,500.00 since the application was filed. However, the claimed arrears were a total of \$4,000.00.
7. When asked to explain the discrepancy, the Landlord's Legal Representative testified that that Tenant had paid a total of \$6,500.00 since moving into the unit in June 2025 and provided the exact amounts paid.
8. I am satisfied based on the evidence of the Landlord's Legal Representative that the total arrears owing to December 31, 2025 are \$4,000.00.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. There is no last month's rent deposit.

It is ordered that:

1. The Tenant shall pay to the Landlord \$4,186.00. This amount includes rent arrears owing to December 31, 2025 and the cost of filing the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 18, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 19, 2026 at 4.00% annually on the balance outstanding.

January 7, 2026
Date Issued

Allana McComb
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.