



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

File Number: LTB-L-085671-25

In the matter of: basement, 466 Lansdowne Ave
Toronto ON M6H 3Y3

Between: David Yingsheng Wang Landlord

and

Marvel Pony Banda Tenant

David Yingsheng Wang (the 'Landlord') applied for an order to terminate the tenancy and evict Marvel Pony Banda (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 6, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The application must be dismissed because the Landlord did not lead sufficient credible evidence to satisfy me that the Board has jurisdiction to entertain his application. He also did not to lead sufficient evidence to arrears alleged on a balance of probabilities.
2. The Landlord has not filed proof of service as required section 53 of O. Reg 516/06 *General* and did not present cogent evidence to show when the N4 notice was served. Therefore the Board was not satisfied that the notice requirement in subsection 59(1) of the *Residential Tenancies Act, 2006* (the 'Act') had been complied with.
3. Nor could the Landlord prove compliance with subsection 43(1) of the Act. The Landlord had not delivered the "L1/L9 Update Information Update" required by Rule 10 of the Board's *Rules of Procedure*. When asked to testify to the details not disclosed, the Landlord could only give an estimate of the rent arrears he alleges because it is blended with other debts that he alleges. He could not establish the lawful rent, taking the position that an estimate was sufficient. His testimony about the lawful rent did not match the amount claimed in his N4 notice nor the amount claimed in the application. Therefore I find the Notice of Termination lacks sufficient reasons and details to allow the Tenant to understand the allegations against him and I further find that debt alleged has not been proven on a balance of probabilities for want of cogent evidence.

It is ordered that:

1. The application is dismissed

January 12, 2026

Date Issued

Nersi Makki

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.