



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095594-25

In the matter of: A, 111 ADOLPHUS STREET
CORNWALL ON K6H3S2

Between: Janet Thompson Landlord

And

John Leroux Tenants
Adam Helmer

Janet Thompson (the 'Landlord') applied for an order to terminate the tenancy and evict John Leroux and Adam Helmer (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 15, 2026.

Only the Landlord attended the hearing.

As of 2:10 p.m., the Tenants were 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

1. At the hearing I raised the issue that the N4 Notice of Termination (N4 notice) indicates that the arrears owing are for the period from June 1, 2026 to June 20, 2026.
2. The Landlord's N4 notice is defective as it does not properly identify the correct rental period as the month of June 2026 is a future date, and as such does not comply with section 59(2) of the *Residential Tenancies Act, 2006 (Act)*. As the N4 notice is defective the Board does not have the authority to terminate the tenancy.
3. It was explained to the Landlord the options available as a result of the defective N4 including withdrawing the L1 application, serving a new N4 notice and filing a new application or proceeding with the current application to collect arrears of rent only pursuant to section 87(1) of the Act. The Landlord was advised that proceeding with arrears of rent only would not include a provision terminating the tenancy.

4. The Landlord collected a rent deposit of \$1,100.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
5. After I made my ruling on the N4 notice the Landlord sought to withdraw the application and I consented to the request. As such, the matter is withdrawn without prejudice.

It is ordered that:

1. The Landlord's application is withdrawn.

January 20, 2026

Date Issued

Christina Philp

Member, Landlord and Tenant Board

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