



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

**File Number:** LTB-L-087200-25

**In the matter of:** 702 UPPER JAMES ST  
HAMILTON ON L9C2Z8

**Between:** 12994500 Canada Inc Landlord

**And**

Ashley Thompson Tenant

12994500 Canada Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Ashley Thompson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 7, 2026.

Only the Landlord's Agent Mojtaba Habibagahi attended the hearing.

As of 10:05 am, 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:**

1. The Notice of Termination (N4) claimed rental periods from August 1 to August 31, 2025 and October 1 to October 15, 2025. As a result, the N4 was confusing on its face. In the absence of the Tenant, there was no evidence what the Tenant understood and no prejudice was waived.
2. As a result, I found the N4 invalid and dismissed the Landlord's application without consideration of its merits. The Landlord may wish to seek legal advice with respect to their ability to file a new application and seek any remedies they would otherwise have sought through this application.

**It is ordered that:**

1. The Landlord's application is dismissed.

**January 23, 2026**

**Date Issued**

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**Brenda Mercer**

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.