



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-083783-25

In the matter of: 2106, 488 UNIVERSITY AVE
TORONTO ON M5G1X3

Between: Sanat Kumar Sharma Landlord

And

Agape Bora Kargai Tenant

Sanat Kumar Sharma (the 'Landlord') applied for an order to terminate the tenancy and evict Agape Bora Kargai (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 Chandra Sharma attended the hearing.

As of 1:20 pm, 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. On the Board's initiative I asked the Landlord's Agent about the service of the Notice to End Tenancy Early for Non-Payment of Rent (N4 Notice). The Landlord's Agent agreed that the N4 Notice was served to the Tenant by placing the document under the door of the rental unit on September 12, 2025 with a termination date of September 25, 2025.
2. The *Residential Tenancies Act, 2006* (the 'Act') states the following:

Section 191(3)

"A notice or document given by mail shall be deemed to have been given on the fifth day after mailing."

Section 59(1)

"If a Tenant fails to pay rent lawfully owing under a tenancy agreement, the Landlord may give the tenant notice of termination of the tenancy effective not earlier than,

(b) the 14th day after the notice is given, in all other cases.”

3. In this case the date of service of the notice is deemed to be September 12, 2025. This notice specifies a termination date of September 25t, 2025 which contrary to section 50 of the Act is one day short - thus is invalid.
4. Additionally, the N4 Notice was not signed and therefore fatally flawed.
5. 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 20, 2026
Date Issued

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.