



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

File Number: LTB-L-083666-25

In the matter of: 1251 WINDSOR AVE
WINDSOR ON N8X3L8

Between: Zhangsu Fan Landlord

And

Jeffrey Jones Tenant

ZHANGSU FAN (the 'Landlord') applied for an order to terminate the tenancy and evict Jeffrey Jones (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

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

Only the Landlord attended the hearing.

As of 12:40 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. Prior to the hearing, I brought forth a preliminary issue that the Landlord had not filed the Certificate of Service swearing that the Tenant had been served with the N5 notice of terminations with the termination date of September 30, 2025. The Landlord stated he was not aware that he had to file a Certificate of Service.
2. Rule 4.4 of the Board's *Rules of Procedure* states:

Where the LTB permits an application to be filed using TOP, any related Notice of Termination, affidavit, or Certificate of Service must be also uploaded at the time of filing.

3. Further, Rule 4.5 of the Board's *Rules of Procedure* states:

If the Notice of Termination, affidavit or Certificate of Service cannot be uploaded at the same time as the application is e-filed, they must be emailed to the Regional Office responsible for the application within 5 calendar days of the e-filing. Failure to upload or to email these documents in time may result in administrative dismissal of the application.

4. Based on the information provided by the Landlord, I am not satisfied that the Landlord filed the Certificate of Service within the time required by the Board. Pursuant to Rule 4.5, in the absence of the Certificate of Service, I find it appropriate to administratively dismiss this application as the Landlord only sought eviction and no other remedies.

It is ordered that:

1. The Landlord's application is dismissed.

January 21, 2026
Date Issued

Joshua Labbe
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.