



Order under Section 69 Residential Tenancies Act, 2006

Citation: Luo v Griffiths, 2026 ONLTB 7941

Date: 2026-01-28

File Number: LTB-L-093245-25

In the matter of: 19 Flindall Street
Quite West, Ontario ON K8V3E2

Between: Zaohong Luo Landlord

and

James Griffiths Hunter Tenant

Zaohong Luo (the 'Landlord') applied for an order to terminate the tenancy and evict James Griffiths Hunter (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 20, 2026.

Only the Landlord attended the hearing.

As of 1:36 p.m. 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 Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) on October 21, 2025. The date of termination on the N4 Notice is November 3, 2025.
2. In accordance with s. 59(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act'), the date of termination on an N4 Notice must be at least 14 days after the date the N4 Notice is given to the Tenant.
3. Rule 1.13 of the LTB Rules of Procedure sets out how to calculate the number of days between two events as:

1.13 When something must be done within a specific number of days, the days are counted by excluding the first day and including the last day.

4. Rule 1.16 also provides that Rule 1.13 cannot be waived.

5. Therefore, in order to calculate the number of days between October 21, 2025, you start by counting October 22, 2025 as the first day, and continue with October 23, 2025 as the second day etc. This results in November 3, 2025, the termination date listed on the N4, being the thirteenth day.
6. In the above circumstances I find 14 days notice was not provided to the Tenant and the N4 Notice is invalid.

It is ordered that:

1. The Landlord's application is dismissed.

January 28, 2026
Date Issued

Vanessa Davies
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2026

Rent Owing To January 31, 2026	\$3,600.00
Total the Tenant must pay to continue the tenancy	\$3,600.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 9, 2026

Rent Owing To February 9, 2026	\$3,600.00
Total the Tenant must pay to continue the tenancy	\$3,600.00

C. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 9, 2026

Rent Owing To February 28, 2026	\$4,500.00
Total the Tenant must pay to continue the tenancy	\$4,500.00

D. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$3,291.80
Total amount owing to the Landlord	\$3,291.80
Plus daily compensation owing for each day of occupation starting January 21, 2026	\$29.59 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	