



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

File Number: LTB-L-069406-25

In the matter of: 5, 15 Gutcher Avenue
Sudbury ON P3C3H5

Between: Jack Rocca Landlord

And

Anja Elovaara Tenant

jack Rocca (the 'Landlord') applied for an order to terminate the tenancy and evict Anja Elovaara (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 26, 2026.

The Landlord the Tenant and the Tenant Support attended the hearing.

Determinations:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The N4 Notice alleges that the Tenant failed to pay the full and lawful rent for the July 2025 rental period. However, this was opposed by the Tenant, testifying that their rent was paid directly to the Landlord by ODSP.
3. In response the Landlord testified that they had received rent payments directly from ODSP on behalf of the Tenant since February 2025 and were in fact seeking rent arrears allegedly owing from January 2025.
4. Section 59(2) of the Act states that an N4 Notice must correctly set out the amount of rent due and section 43(2) states that a notice of termination must contain reasons and details respecting the termination. The N4 Notice served on the Tenant does not meet these requirements because it does not correctly inform the Tenant of the time period that the claimed rent arrears concerned as per the Landlord's own testimony.

5. As stated by the Divisional Court in *George V Apartments Ltd. V. Cobb*, a notice of termination which is incorrect or does not comply with the mandatory content requirements of the Act is void and cannot be amended or corrected (*George V Apartments Ltd. V. Cobb*, [2002] O.J. No. 5981 (Ont. Div. Ct.)).
6. Furthermore, a notice of termination cannot be amended. As such, the N4 Notice is invalid and the L1 application is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

February 4, 2026
Date Issued

Kelly Delaney
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.