



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-102475-25

In the matter of: 54 Lapointe Blvd
Embrun ON K0A1W0

Between: Kavira Renee Landlord

And

Pendezec Isabelle Tenant
Ringapin Alain

Kavira Renee (the 'Landlord') applied for an order to terminate the tenancy and evict Pendezec Isabelle and Ringapin Alain (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 30, 2026.

Only the Landlord attended the hearing.

As of 9:35 a.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 gave the Tenant an N4 notice by mail on May 16, 2025. The notice was deemed to have been served on May 21, 2025, pursuant to S. 191 (3) of the *Residential Tenancies Act*, 2006.
2. The termination date contained on the N4 notice of termination is May 30, 2025.
3. Section 59 (1) (b) of the Act set out that:

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. 2006, c. 17, s. 59 (1).

4. This means that the termination date on the N4 notice given to the Tenant does not meet the legislative requirement in section 59 because it was deemed served on May 21, 2025.

There is only 9 days between the N4 notice being deemed served and the Termination date of May 30, 2025. This does not meet the requirement set out in section 59 of the Act.

5. The Landlord was given the option of either withdrawing the application or pursue arrears only with no eviction attached to the order for arrears. The Landlord opted to withdraw their application.

It is ordered that:

1. The Landlord's application is withdrawn and the Board's file is now closed.

February 4, 2026
Date Issued

Emily Robb
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.