



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

File Number: LTB-L-090918-25

In the matter of: 1209, 800 VAUGHAN RD
YORK ON M6E2Z4

Between: WOODGREEN COMMUNITY SERVICE Landlord

And

JOAO BOTELHO Tenant

WOODGREEN COMMUNITY SERVICE (the 'Landlord') applied for an order to terminate the tenancy and evict JOAO BOTELHO (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

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

Only the Landlord's Agent Vanessa Omojola attended the hearing.

As of 1:39 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. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. The Landlord did not file a copy of the N4 Notice or a certificate of service related to the N4 Notice.
3. Section 53, paragraph 1, of O.Reg 516/06 (the "Regulations") provides that an application with respect to a notice of termination on any ground must include both a copy of the notice of termination and a certificate of service for the notice of termination if the notice was given by the landlord.
4. Section 59(2) of the Regulations provides that where an application is filed electronically, the required documents must be received by the LTB within 5 days of the electronic filing of the application.

5. Section 185(1) of the Residential Tenancies Act, 2006 (the “Act”) provides that an application filed with the LTB shall be accompanied by the documents prescribed in the Regulations.
6. I find that as no copy of the N4 Notice or the certificate of service for the N4 notice was filed within 5 days of filing the application, there was no complete application to proceed on.
7. For the reasons above, the LTB lacks jurisdiction to grant the application based on the N4 Notice.

It is ordered that:

1. The Landlord’s application is dismissed.

February 5, 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.