



**Order under Section 69 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-088783-25

In the matter of: 4169 James st
Petrolia ON N0N1R0

Between: Bam Holdings Inc Landlord

And

Stanley Wilson Tenant

Bam Holdings Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Stanley Wilson (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has willfully or negligently caused damage to the premises.

Bam Holdings Inc (the 'Landlord') also applied for an order requiring Stanley Wilson (the 'Tenant') to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

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

Only the Landlord's Agent, Valerie Sawczuk attended the hearing.

As of 10:03 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.

Determinations:

1. At the hearing, I determined that the N5 notice of termination on which this application is based was defective as the notice does not indicate whether it is a voidable first notice given under section 64 of the *Residential Tenancies Act, 2006* (the 'Act') or a second non-voidable notice given under section 68 of the Act. This is important, because the Tenant must know if they have the opportunity to void the notice pursuant to section 64(3) of the Act. I advised the Landlord they can proceed with their application for compensation for damages being sought, but I could not terminate the tenancy due to the invalid N5 notice being provided to the Tenant.
2. The Landlord sought to withdraw the application, and I consented to the request.

It is order that:

3. The application is withdrawn; the LTB's file is closed.

February 10, 2026
Date Issued

Samantha Greaves
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.