



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-066231-25

In the matter of: 21903 GLEN ROBERTSON RD
GLEN ROBERTSON ON K0B1H0

Between: Francois Beauclair Landlord

And

Roderick Welburn Tenant

Francois Beauclair (the 'Landlord') applied for an order to terminate the tenancy and evict Roderick Welburn (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 22, 2026.

Only the Landlord attended the hearing.

As of 9:58 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 raised preliminary issues in relation to the validity of the N4 Notice of Termination on which this application is based. Specifically, I raised an issue with the termination date on the N4.
2. The Landlord confirmed the N4 was served on the Tenant on July 17, 2025, and that the termination date on the N4 was July 1, 2025.
3. Pursuant to s. 59(1) of the *Residential Tenancies Act, 2006* (the 'Ac't') the termination date on an N4 must be at least 14 days after the notice is given before where the tenant pays rent by month or year. If the tenants pays rent by the week or day, the termination date must be at least 7 days after the notice is given.
4. In this case, the termination date on the N4 is earlier than the date the notice was given. Accordingly, I find that the notice does not comply with s. 59(1) and it is invalid.
5. After I delivered my decision regarding the invalidity of the N4 orally at the hearing, the Landlord sought to withdraw the application as the Landlord was seeking an order for eviction and the arrears, and I consented to the request.

It is ordered that:

6. The application having been withdrawn; the LTB's file is closed.

February 17, 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.