



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-085215-25

In the matter of: Basement, 35 CENTENNIAL PKY S
STONE CREEK ON L8G2C1

Between: Shauna Cassidy Landlord

And

Paul Crooker Tenants
Gabrielle Matray

Shauna Cassidy (the 'Landlord') applied for an order to terminate the tenancy and evict Paul Crooker and Gabrielle Matray (the 'Tenants') because:

- the Tenants did not pay the rent that the Tenants owe.
- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another Tenants;
- the number of persons living in the unit on a continuing basis is more than permitted by health, safety or housing standards;

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on January 28, 2026.

The Landlord; the Landlord's Agents, Melissa McGurk and Sarah Mellett; and the Tenants attended the hearing.

Determinations:

L1 Application

1. On October 4, 2025, the Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) because the Tenants did not pay the rent the Tenants owe for the period of September 2025.

2. At the hearing, the Landlord testified that \$900.00 of the rent for the period of September 2025 had been paid prior to September 1, 2025. The Tenants testified that they had paid \$1,050.00 towards the rent arrears by September 5, 2025.
3. As the Tenants were not in arrears for the period of September 2025, the Landlord did not have the authority to file the L1 application based on the N4 as the Tenants had paid the amounts owing for this period. As the Landlord's N4 notice was invalid and a notice may not be terminated based upon an invalid notice, the Landlord was given the option to proceed with the application for arrears of rent only with no termination of the tenancy or to withdraw the application. The Landlord sought to withdraw the application and I consented to the request.

L2 Application

4. The Tenants were in possession of the rental unit on the date the application was filed.
5. On August 7, 2025, the Landlord gave the Tenants an N5 notice of termination. The N5 notice was given pursuant to subsection 64 of the *Residential Tenancies Act, 2006* (the 'Act'). Subsection 64(2) of the Act states that "a notice of termination under subsection (1) shall (a) provide a termination date not earlier than the 20th day after the notice is given."
6. The Landlord's first N5 notice fails to provide any termination date. As the notice does not comply with subsection 64(2) of the Act, the Landlord's notice is invalid and the Landlord's L2 application must be dismissed.

It is ordered that:

L1 Application

1. The Landlord's L1 application is withdrawn.

L2 Application

2. The Landlord's L2 application is dismissed.

February 18, 2026
Date Issued

Christopher Lin
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.