



Order under Section 69 Residential Tenancies Act, 2006

Citation: Lu v Dinek, 2026 ONLTB 15479

Date: 2026-02-17

File Number: LTB-L-101344-25

In the matter of: BASEMENT UNIT 2, 412 LYNETT CRES
RICHMOND HILL ON L4C2V5

Between: Jingrong Lu Landlord

And

Ramazan Dinek Tenants
Elif Nur Duymaz

Jingrong Lu (the 'Landlord') applied for an order to terminate the tenancy and evict Ramazan Dinek and Elif Nur Duymaz (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 12, 2026.

Only the Landlord and the Landlord's representative, Han Hao, attended the hearing.

As of 9:52 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There is no record of a request to reschedule the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. On November 18, 2025, the Landlord served the Tenants a Notice to End a Tenancy Early for Non-payment of Rent in Form N4. The Notice purports to terminate the tenancy effective December 1, 2025. The Landlord therefore provided 13 days' notice.
2. Section 59(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act') requires the Landlord to give a minimum of 14 days' notice of termination for a monthly tenancy. As the period of the tenancy here is monthly, the N4 served by the Landlord is invalid.
3. Pursuant to s. 69(1) of the Act, the Board has no jurisdiction to evict a tenant based on an invalid notice of termination. As a result, the part of the application seeking an eviction order must be denied.

4. The Landlord did not wish to pursue the application for arrears only pursuant to s. 87(1) of the Act.
5. Accordingly, the Landlord's application must be dismissed in its entirety.

It is ordered that:

1. The Landlord's application is dismissed.

February 17, 2026

Date Issued

Ilan Shingait

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.