



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

File Number: LTB-L-100874-25

In the matter of: 2545 SIMCOE ST N
OSHAWA ON L1L0W3

Between: Adnan Abid Landlord

And

Tonian Clarke Tenant

Adnan Abid (the 'Landlord') applied for an order to terminate the tenancy and evict Tonian Clarke (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 11, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. At the outset of the hearing the Landlord 'confirmed that the N4 Notice of Termination was mailed to the Tenant on November 21, 2025, as indicated on the Certificate of Service relied on by the Landlord. Therefore, it would be deemed served on November 26, 2025.
2. The N4 Notice of Termination contains a termination date of November 20, 2025.
3. Section 59 of the Residential Tenancies Act, 2006 states:

Non-payment of rent

59 (1) If a tenant fails to pay rent lawfully owing under a tenancy agreement, the landlord may give the tenant notice of termination of the tenancy effective not earlier than,

(a) the 7th day after the notice is given, in the case of a daily or weekly tenancy; and

(b) the 14th day after the notice is given, in all other cases. 2006, c. 17, s. 59 (1).

4. The tenancy in question is monthly. Therefore, the Landlord has not complied with Section 59(1)(b) as the Tenant was not provided 14 days notice of termination. Therefore, the N4 is invalid.

5. The Landlord's Agent did not seek an order for arrears only. Therefore, the Landlord's Application is dismissed.

It is ordered that:

1. The Landlord's Application is dismissed.

February 24, 2026
Date Issued

Reid Jackson
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.