



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

File Number: LTB-L-098829-25

In the matter of: 102, 55 SOUTH TOWN CENTRE BLVD
MARKHAM ON L6G 0B1

Between: Khotan Montazeri-Davoudi Landlord

and

Carlos Hickmann Tenant

Khotan Montazeri-Davoudi (the 'Landlord') applied for an order to terminate the tenancy and evict Carlos Hickmann (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

This application was heard by videoconference on January 15, 2026.

The Landlord and the Tenant attended the hearing

Determinations

1. On September 21, 2025, the Landlord served the Tenant with a Notice to End your Tenancy at the End of the Term ('N8 Notice') with a termination date of November 20, 2025.
2. The Tenant was in possession of the rental unit on the date the application was filed. The parties have a month to month tenancy, and the rent is due on the 1st day of each month.
3. The N8 Notice was served pursuant to subsection 58(2) of *Residential Tenancies Act, 2006* (the 'Act') which provides:

'Period of notice

(2) The date for termination specified in the notice shall be at least the number of days after the date the notice is given that is set out in section 44 and shall be the day a period of the tenancy ends or, where the tenancy is for a fixed term, the end of the term. 2006, c. 17, s. 58 (2).

[emphasis added]

4. I indicated to the parties that in accordance with subsection 58(2), the termination date should be the end of the rental period. In this case, the end of the rental period would be the last day of each month. The termination date contained in this N8 notice, November 20, 2025, is not the last day of the month. Although the Tenant acknowledged receipt of the notice at the hearing, I find that the N8 Notice does not comply with the requirements set out in subsection 58(2) and is therefore invalid.

It is ordered that:

1. The Landlord's application is dismissed.

February 27, 2026
Date Issued

Adeela Alvez
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.