



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

File Number: LTB-L-107538-25

In the matter of: 57 FAIRLANE AVE
Barrie ON L9J0N1

Between: Shahid Akram Landlord

And

PIRABAKARAN SHANMUGARATNAM Tenants
NAKULENDRAN THUSANTHINI

Shahid Akram (the 'Landlord') applied for an order to terminate the tenancy and evict PIRABAKARAN SHANMUGARATNAM and NAKULENDRAN THUSANTHINI (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on March 3, 2026.

Only the Landlord and the Landlord's Legal Representative, Pattie Watson, attended the hearing.

As of 1:46p.m., the Tenants 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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). However, this notice was served by text message to the Tenants on December 4, 2025, by the Landlord. This service method is not permitted by the Rule 3 of the Boards Rules, hence this N4 notice is invalid
2. The Landlord's Legal Representative attempt to cure this issue by serving another N4 notice upon the Tenants via personal service on February 9, 2026, however:
3. Subsection 59(1)(b) of the Residential Tenancies Act, 2006 (the 'Act') provides:

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.

4. The length of time afforded to the Tenants between personal service of the N4 Notice and the date of termination was nil as the service was after the date of termination.
5. As a result, I found the N4 Notice invalid because the Tenants were not served pursuant to the Rules.
6. In the above circumstances, the Landlord's Legal Representative sought to withdraw the application as opposed to proceed for arrears only and I consented to the request.

It is ordered that:

1. The Landlord's application is dismissed as withdrawn.

March 5, 2026
Date Issued

Panagiotis P. Roupas
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.