



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

File Number: LTB-L-105857-25

In the matter of: J/2807, 15 VENA WAY
NORTH YORK ON M9M0G8

Between: Harrington Housing Inc Landlord

And

Sodiq Ademola Olaniyan Tenant

Harrington Housing Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Sodiq Ademola Olaniyan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 24, 2026.

Only the Landlord's Legal Representative Merve Ozdemir attended the hearing. As of 3:17 p.m., the Tenant 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. At the hearing, we raised a preliminary issue as to whether the N4 notice of termination is valid, particularly whether the rental periods identified were correct, whether the rent charged for the period of November 25, 2025, to December 22, 2025 was correct and therefore whether the total rent owing was correct.
2. The Landlord's Legal Representative was invited to make submissions on whether these issues rendered the N4 notice of termination invalid.
3. For the reasons that follow, we find that these defects are fatal to the N4 notice of termination in that it fails to comply with the mandatory provisions of the *Residential Tenancies Act, 2006* (the 'Act').
4. The Landlord's Legal Representative states that it was verbally agreed with the Tenant that for only the period of November 25, 2025 to December 22, 2025, the monthly lawful rent of \$1,080.00 was discounted to the amount of \$348.00 as an incentive to the Tenant if the rent payment was made on time and the Tenant vacates the rental unit because it was

the Tenant's last month of his tenancy. The Landlord's Legal Representative states that the Tenant is still in possession of the rental unit.

5. The Landlord's Legal Representative asserts that the reduction in rent was a rent discount that was verbally agreed upon and relies upon s. 111 of the *Act* and the Ontario Regulation 516/06.
6. Based on the evidence and submissions before us, we are satisfied that the reduction in rent for the rental period of November 25, 2025, to December 22, 2025, is not a rent discount under s.111 of the *Act* and O. Reg 516/06 sections 10-14. Rather, it is the Landlord essentially offering to waive a large portion of rent in exchange for the termination of the tenancy. We say this as the rent deduction is not in accordance with the *Act* because it was not in writing, it was more than 2% of the lawful rent and it was not pursuant to a prescribed condition for the purposes of the *Act*.
7. The Landlord's Legal Representative asserts that the discount that was applied does not in any way prejudice the Tenant because the amount of rent was reduced. While the amount of rent due for the applicable rent period is in the Tenant's favour and the N4 notice of termination demands the Tenant to pay a lesser amount, we are satisfied that there still is reasonable confusion and conflicting information that exists which might cause significant prejudice. We therefore find that the N4 notice of termination is invalid as it does not comply with the requirements of s.59 of the *Act*.
8. Although section 201(1)(f) of the *Act* permits the Board to amend an application during a hearing, if the Board considers it appropriate to do so and if amending the application would not be unfair to any party, the L1 application was not amended to proceed with arrears only because any possible amendment would be clearly prejudicial and unfair to the Tenant.

It is ordered that:

1. The Landlord's application is dismissed.

March 12, 2026

Date Issued

Heather Chapple

Vice Chair, Landlord and Tenant Board

March 12, 2026

Date Issued

Farzana Kanji

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.