



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

**File Number:** LTB-L-104651-25

**In the matter of:** Basement, 42 BRITANNIA AVE  
Oshawa ON L8H1W6

**Between:** Ivor Christopher Landlord

**And**

Kaiden Simms Tenant

Ivor Christopher (the 'Landlord') applied for an order to terminate the tenancy and evict Kaiden Simms (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 18, 2026.

Only the Landlord attended the hearing.

As of 1:53 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 onset of the hearing, I raised the issue with the Landlord about what the monthly rent amount is because the monthly rent amount for October 2025 on the N4 notice reflected the monthly rent of \$1,900.00, but the application reflected the monthly rent amount of \$1,250.00 for November 2025, and it also reflected the monthly rent amount of \$1,200.00.
2. The Landlord testified that the monthly rent amount is \$1,200.00, and the additional fees added to the N4 monthly period are late fees that were charged to the Tenant.
3. I found that the on the N4 it did not reflect the proper monthly rent, and that the N4 was invalid, pursuant to section 59(2) of the *Residential Tenancies Act, 2006*, which states;

*The notice of termination shall set out the amount of rent due and shall specify that the tenant may avoid the termination of the tenancy by paying, on or before the termination date specified in the notice, the rent due as set out in the notice and any additional rent that has become due under the tenancy agreement as at the date of payment by the tenant.*

4. In this case, the N4 does not accurately set out the amount of rent due, nor does it provide the Tenant with a meaningful opportunity to void the notice by paying the correct rent due.
5. I delivered my decision orally at the hearing, finding the N4 invalid. The Landlord then requested to withdraw the application and I consented to the withdrawal.

**It is ordered that:**

1. The Landlord's application is withdrawn.

**March 16, 2026**  
**Date Issued**

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**Samantha Greaves**  
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.