



Order under Section 69 Residential Tenancies Act, 2006

Citation: Al-Haimd v Chase, 2026 ONLTB 27014

Date: 2026-04-07

File Number: LTB-L-005271-26

In the matter of: 295 STRATHEARNE AVE
HAMILTON ON L8H5K8

Between: Riyadh Al-Haimd
Ruwaida Al-Kubaisi
Landlords

And

Avian Chase
Carrie Feir
Tenants

Riyadh Al-Haimd and Ruwaida Al-Kubaisi (the 'Landlords') applied for an order to terminate the tenancy and evict Avian Chase and Carrie Feir (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on March 25, 2026.

The Landlords and the Tenants Carrie Feir attended the hearing.

Determinations:

1. The Landlords served the Tenants with an invalid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The notice is invalid because it was not properly served. The Landlords initially testified the notice was served by mail and email on December 16, 2025. This is only two days before the termination date. They then testified that they actually served the notice on December 2, 2026 and they were confused because they had served multiple notices. The Landlords uploaded copies of emails sent to the Tenants, however these were dated in November and could not have contained a notice which was not written until December. The mailing envelope provided as evidence is stamped December 3, 2025 which means an effective service date of December 8, 2025, which is not valid service of a notice with a termination date of December 19, 2025.
2. An application for eviction cannot proceed on an invalid notice. The Landlords chose to proceed with the application for arrears only.

3. As of the hearing date, the Tenants were still in possession of the rental unit.
4. The lawful rent is \$2,375.00. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$78.08. This amount is calculated as follows: $\$2,375.00 \times 12$, divided by 365 days.
6. The Tenants have not made any payments since the application was filed.
7. The rent arrears owing to March 31, 2026 are \$9,975.00.
8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenants shall pay to the Landlord \$10,161.00. This amount includes rent arrears owing up to March 31, 2026 and the cost of the application.
2. If the Tenants do not pay the Landlord the full amount owing on or before April 25, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 26, 2026 at 4.00% annually on the balance outstanding.

April 7, 2026
Date Issued

Dawn Carr
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.