



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-000410-26

In the matter of: 41 HANMER ST E
BARRIE ON L4M6V3

Between: Dzmitry Batsiai Landlord

And

Megan Bolton Tenant

Dzmitry Batsiai (the 'Landlord') applied for an order to terminate the tenancy and evict Megan Bolton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 10, 2026.

Only the Landlord attended the hearing.

As of 9:28 a.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.

1. At the hearing, I raised the issue in relation to the date of termination on the N4 notice. The N4 notice of termination did not provide the Tenant 14 days to void the notice. In addition, the notice of termination did not have the province or postal code noted.
2. Pursuant to s. 59(1) of the *Residential Tenancies Act, 2006* (the 'Act') the termination date on an N4 must be at least 14 days after the notice is given before where the tenant pays rent by month or year. If the tenants pays rent by the week or day, the termination date must be at least 7 days after the notice is given.
3. In this case, the termination date on the N4 is earlier than the date the notice was given. Accordingly, I find that the notice does not comply with s. 59(1) and it is invalid.
4. In the alternative, pursuant to s.43(1) of the Act the notice of termination must reflect the identity of the rental unit. Accordingly, I find that the notice does not comply with s. 43(1) and it is invalid.
5. After I delivered my decision regarding the invalidity of the N4 orally at the hearing, the Landlord sought to withdraw the application as the Landlord was seeking an order for eviction and the arrears, and I consented to the request.

6. The application having been withdrawn, the LTB's file is closed.

April 2, 2026
Date Issued

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.