



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

**File Number:** LTB-L-005623-26

**In the matter of:** BASEMENT, 23 WESTHOLME AVE  
TORONTO ON M6P3B9

**Between:** PHILIP CASCUN Landlord

**And**

FERIDE DURSUN Tenant

PHILIP CASCUN (the 'Landlord') applied for an order to terminate the tenancy and evict FERIDE DURSUN (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 26, 2026.

The Landlord and the Tenant attended the hearing.

**Determinations:**

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. I raised an issue in regard to the validity of the N4 notice of termination. Specifically, the N4 Notice of termination had December 14, 2025 as the date of termination. The Landlord testified he had personally served the N4 Notice on the Tenant on December 04, 2025. I find that the N4 Notice is defective as it did not provide the Tenant with 14 days to void the notice. I provided the Landlord with options to either withdraw their application and start over to proceed with an arrears only order. The Landlord requested to proceed with an arrears only application and I amended the application to be for arrears only.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$1,725.00. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$56.71. This amount is calculated as follows: \$1,725.00 x 12, divided by 365 days.
6. The Tenant has not made any payments since the application was filed.
7. The parties agreed the rent arrears owing to March 31, 2026 are \$6,900.00.

8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay the Landlord \$6,900.00 for rent arrears owed up to March 31, 2026 and \$186.00 for the cost of filing the application.
2. The total the Tenant shall pay the Landlord is \$7,086.00.
3. If the Tenant does not pay the Landlord the full amount owing on or before April 18, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 19, 2026 at 4.00% annually on the balance outstanding.

**April 7, 2026**  
**Date Issued**

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Vishal Nanda  
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.