



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-006870-26

In the matter of: 667 TOWNLINE RD N
COURTICE ON L1E2J4

Between: Salekur Rahman Landlord

And

Alanna Mariah Helen McKeown Tenant
Jason John Miller

When the capitalized word “Landlord” is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word “Tenant” is used in this order, it refers to all persons identified as a Tenant at the top of the order.

Salekur Rahman (the 'Landlord') applied for an order to terminate the tenancy and evict Alanna Mariah Helen McKeown and Jason John Miller (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 31, 2026.

The Landlord and the Tenants attended the hearing.

Determinations:

Preliminary Issues:

1. The Board raised an initial preliminary issue of the N4 notice being defective as it did not offer the Tenants 14 days notice as required pursuant to s. 59(1) of the Act. Here, the first N4 notice with the termination date of January 20, 2026 was sent to the Tenants by Canada Post and evidenced as delivered on January 8, 2026 by signature of one of the Tenants.
2. The N4 notice as served on the Tenants was defective based on section 59(2) of the *Residential Tenancies Act*, 2006 (the 'Act') which states that:

59 (1) If a tenant fails to pay rent lawfully owing under a tenancy agreement, the landlord may give the tenant notice of termination of the tenancy effective not earlier than,

(a) the 7th day after the notice is given, in the case of a daily or weekly tenancy; and

(b) **the 14th day after the notice is given**, in all other cases.

[Emphasis added]

3. As this is a tenancy where rent is paid monthly, the minimum notice required is 14 days after the notice is given, here the Tenants were not provided the required notice.
4. When this was raised with the Landlord, he indicated that as the Tenants said they did not receive the first N4 notice, he followed up in person on January 17, 2026 and delivered them a new N4 notice, the second N4, with the termination date of January 31, 2026, and that this was the notice that he was relying on.
5. However, I noted that the second notice rendered the L1 application defective pursuant to s. 74(1) of the Act where it is outlined that:

74 (1) A landlord may not apply to the Board under section 69 for an order terminating a tenancy and evicting the tenant based on a notice of termination under section 59 **before the day following the termination date specified in the notice.**

[Emphasis Added]

6. As the Landlord filed their application with the Board on January 25, 2026, the earliest date the Landlord can file the application is after the expiry of the 14-day period as would have been provided to the Tenants if the Landlord had served them a valid N4 notice.
7. Lastly, the parties have been before the Board on a prior L1 application, order LTB-L-086028-25 as issued on January 22, 2026 granted the Landlord an order under s.87 of the Act for arrears of rent for a period up to January 31, 2026. It appears that the Landlord was attempting to relitigate claims for which determination have been made by the Board.
8. Given the above outlined reasons, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 2, 2026
Date Issued

Alicia Johnson
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.