



Order under Section 69 Residential Tenancies Act, 2006

Citation: Serapiglia v Simpson, 2026 ONLTB 28352

Date: 2026-04-10

File Number: LTB-L-008109-26

In the matter of: 865 BLAIRHOLM AVE
MISSISSAUGA ON L5C1G5

Between: Carlo Serapiglia Landlord

And

Veneshea Marie Simpson Tenant

Carlo Serapiglia (the 'Landlord') applied for an order to terminate the tenancy and evict Veneshea Marie Simpson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 2, 2026.

The Landlord and the Tenant attended the hearing. The Tenant declined to speak to Tenant Duty Counsel prior to the start of this proceeding

Determinations:

1. The Landlord delivered a N4 Notice of Termination for Non-payment of Rent ("N4 notice") with a termination date of January 27, 2026, to the Tenant.
2. The Landlord's Certificate of Service for the N4 Notice indicates the N4 Notice was personally served upon the Tenant on January 28, 2026, which the Landlord confirmed during his testimony upon Board questioning.
3. Subsection 59(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act') provides:

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.

4. The length of time afforded to the Tenant between service of the N4 Notice and the date of termination on the N4 Notice was not pursuant to the Act, and in fact was the day after the date of termination in the N4 Notice, there was no suggestion the tenancy was a weekly tenancy.
5. As a result, I found the N4 Notice invalid because the Tenant was not provided with 14 days' notice of the termination.
6. In the above circumstances, the Landlord did not seek to proceed with arrears only, and the application was dismissed without prejudice. It was noted to the Landlord that he should attempt to seek legal advice prior to proceeding with a further application.

It is ordered:

1. The Landlord's application is dismissed.

April 10, 2026
Date Issued

Panagiotis P. Roupas
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.