



Order under Section 69 Residential Tenancies Act, 2006

Citation: Lu v EDOMWANDE, 2026 ONLTB 28414

Date: 2026-04-14

File Number: LTB-L-079583-25

In the matter of: 5859 Riverside Pl
Mississauga ON L5M4X1

Between: Dazhuan Lu Landlord

And

Victor EDOMWANDE Tenant

Dazhuan Lu (the 'Landlord') applied for an order to terminate the tenancy and evict Victor EDOMWANDE (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on January 7, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord's application must be dismissed for the following reasons:
2. The N5 Notice of termination that was submitted as part of the Landlord's application is invalid because it does not comply with the statutory requirements under section 43 of the *Residential Tenancies Act, 2006* (the 'Act'). Meaning, that the notice is not in a form approved by the Board and the notice lacks sufficient details. The termination date is also invalid.
3. Even if I were to accept the Landlords letter to the Tenants as being an N5 Notice pursuant to subsection 64 of the Act and find it substantially complies with the contents of forms pursuant to section 212 of the Act, the details section in the form lack specific dates and times of alleged conduct giving rise to the notice and therefore it is not compliant with subsection 43(2) of the Act. A form cannot be compliant if it does not meet the minimum statutory requirements.

4. In *Ball v Metro Capital Management Inc.* [2002] OJ No 5931 the Divisional Court found that, to be in compliance with subsection 43(2), a notice should include **dates and times of the alleged conduct**, together with a detailed description of the alleged conduct. The Landlord's form does not comply with *Ball V. Metro Capital management Inc* as it contains broad dates and blanket allegations against the Tenant.
5. Additionally, the Landlord has only provided a termination date in the form that is 7 days after the form was given to the Tenant. In accordance with subsection 64(2)(a) of the Act, the notice of termination must have a termination date that it as least 20 days after the notice is given. In this case the Landlord gave the notice on September 2, 2025 and the termination date is September 9, 2025.
6. Accordingly, I am unable to find that proper notice was given to the Tenant and I lack the jurisdiction to grant termination of the tenancy as requested by the Landlord.
7. While rendering the decision in the hearing room, the Landlord became agitated and upset blaming the LTB for causing such a delay and then dismissing his application for non-compliance after he had to wait three and a half months for the hearing. The Landlord submits that the LTB should have advised him earlier that his application was defective on its face.
8. The LTB's mandate is not to provide a party with legal advice in advance of the hearing date. The burden is on an applicant to ensure that their notices meet the legislative requirements under the Act when they are filing.
9. The Landlord submitted their L2 application through the online Tribunals Ontario Portal (TOP) on September 23, 2025. When they submitted their application online, they deliberately put the termination date in the notice as being September 22, 2025 which is completely false. If the Landlord had put the termination date in the notice as it is, they would have been alerted by TOP of the short termination date, and the application would have been rejected for filing on this basis. The Landlord chose to override the alert and change the date in order to file the form to get a hearing.

It is ordered that:

1. The Landlord's application is dismissed.

April 14, 2026

Date Issued

Terri van Huisstede

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.