



**Order under Section 69 / 88.1 / 88.2
Residential Tenancies Act, 2006**

File Number: LTB-L-104006-25

In the matter of: BASEMENT, 53 AGINCOURT RD
WOODBIDGE ONTARIO L4L2Z8

Between: Rita Nemo Landlord

And

Karlos Yokana Tenant

Rita Nemo (the 'Landlord') applied for an order to terminate the tenancy and evict Karlos Yokana (the 'Tenant') because:

- the Tenant did not pay the rent they owe (L1 Application)
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex. (L2 Application)

The Landlord also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

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

Only the Landlord attended the hearing.

As of 9:51 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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenant with an invalid N4 Notice to terminate the tenancy and an invalid N7 notice to end the tenancy. The notices were invalid because the amount of time between the notices being given to the Tenant and the termination dates in the notices was less than the amount of time required by the *Residential Tenancies Act, 2006*, (the 'Act').

2. An application for eviction cannot proceed based on an invalid notice. The Landlord did not wish to pursue the applications for arrears and costs only without the application for eviction. The application is dismissed.

It is ordered that:

1. The application is dismissed.

April 8, 2026
Date Issued

Dawn Carr
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.