



**Order under Subsection 87(1)
Residential Tenancies Act, 2006**

File Number: LTB-L-009231-26

In the matter of: 4, 455 EAST MAIN
WELLAND ON L3B3X7

Between: Greener Living Efficiency Corp
Homa Javadzadeh
Landlords

And

Victoria Manna Silva
Jose Silva
Tenants

Greener Living Efficiency Corp. and Homa Javadzadeh (the 'Landlords') applied for an order requiring Victoria Manna Silva and Jose Silva (the 'Tenants') to pay the rent that the Tenants owe.

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

Only the Landlords' Agent, Francesco Firorilli, attended the hearing.

As of 10:19 a.m., the Tenants were 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 Landlords' evidence.

Determinations:

Service of the N4

1. The N4 notice of termination ("N4 notice") the Landlord served the Tenants had a date of termination of January 1, 2026. The certificate of service indicated that it was given to the Tenants on January 1, 2026.
2. Section 59(1)(b) of the *Residential Tenancies Act*, 2006 (the 'Act') provides that a notice of termination for failure to pay rent may not be effective earlier than the 14th day after the notice is given, if the tenancy is a tenancy other than a daily or weekly tenancy.
3. Here, the date of termination is the same day N4 notice was given to the Tenants, therefore the notice of termination was not valid as the date of termination was not effective at least 14 days after the notice was given to the Tenants.

4. Because the Board is unable to issue an order for eviction based on an invalid notice, the Landlord was offered the choice of proceeding with the L1 application based on a request for the arrears only or withdrawing the application.
5. The Landlord chose to proceed on a request for arrears only.

Amount of arrears

6. As of the hearing date, the Tenants were still in possession of the rental unit.
7. The Tenants did not pay the total rent they were required to pay for the period from December 1, 2025, to April 30, 2026.
8. The lawful rent is \$1,550.00. It is due on the 1st day of each month.
9. The Tenants have not made any payments since the application was filed.
10. The rent arrears owing to April 30, 2026, are \$7,750.00.
11. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenants shall pay to the Landlords \$7,936.00. This amount includes rent arrears owing up to April 30, 2026, and the cost of the application.
2. If the Tenants do not pay the Landlords the full amount owing on or before April 24, 2026, the Tenants will start to owe interest. This will be simple interest calculated from April 25, 2026, at 4.00% annually on the balance outstanding.

April 13, 2026
Date Issued

Nicole Pedron
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.