



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-108442-25

In the matter of: UNIT 2 ON BASEMENT, 37 CHIEFSWOOD
SQ. SCARBOROUGH ON M1W 3A9

Between: Zhongyang (Henry) Bao Landlord

and

Arit Effiong Uyah Tenant

Zhongyang (Henry) Bao (the 'Landlord') applied for an order to terminate the tenancy and evict Arit Effiong Uyah (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 26, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

Validity of the N4 Notice

1. The Landlord testified that he served the Tenant with the Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) on December 13, 2025.
2. The Tenant raised the preliminary issue regarding the validity of the N4 notice. She indicated that the notice is invalid because the termination date stated in the notice is incorrect. The N4 notice provides a termination date of 12/27/2027.

3. The Landlord testified that he intended to write the termination date as December 27, 2025.
4. Subsection 59(2) of the of the *Residential Tenancies Act, 2006* ('the Act') sets out the requirements of the content of the N4 Notice:

"the notice of termination shall set out the amount of rent due and shall specify that the tenant may avoid the termination of the tenancy by paying, on or before the termination date specified in the notice, the rent due as set out in the notice and any additional rent that has become due under the tenancy agreement as at the date of payment by the tenant."

5. The Landlord has reversed the day and month of the termination date and noted 2027 for the year. I find that the notice does not accurately inform the Tenant of the date by which the alleged arrears were required to be paid in order to avoid termination. The Landlord's failure to provide the Tenant with a valid N4 Notice effectively removes the Tenant's meaningful opportunity to void the notice.
6. Further, subsection 74 (1) of the Act states that "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." In this case the Landlord filed the application prior to the N4 termination date of 12/27/2027
7. Given these errors, I find the N4 notice does not comply with s. 59(2) and s.74(1) of the Act. I also find that the N4 Notice does not substantially comply with the Act's requirements.

Tenant's Issues

8. The Tenant wanted to raise maintenance issues during this hearing pursuant to s.82 of the Act. The Tenant also indicated that she filed a separate application which is pending to be scheduled.
9. The Landlord testified that he was not served in advance of the hearing with the Tenant's list of issues and evidence and was not made aware of the Tenant's intention to raise section 82 issues at this hearing. The Landlord informed me that he was not prepared to respond to the Tenant's issues. The Tenant responded that the Landlord is aware of the issues and has her evidence.
10. Rule 19.4 of the Board's Rules of Procedure provides that a Tenant who wishes to raise s.82 issues at a hearing must serve the Landlord and file with the Board a list of their issues as well as their supporting evidence at least seven days before the hearing. Further, rule 19.5 provides that a Tenant who fails to comply with rule 19.4 shall not be permitted to raise these issues at the hearing unless the Board is satisfied that they could not comply.
11. Although the Tenant uploaded several documents to the Board and has filed a separate application, she did not serve the Landlord of her intention to raise section 82 issues at this

hearing as required by the Act and the Board's rules. Further, the Tenant had advance notice of this hearing and ample opportunity to raise s. 82 issues but she did not. For this reason, I did not hear any evidence or submission with respect to the Tenant's s.82 issues. I informed the Tenant that her maintenance issues can be heard once the Board schedules her application.

It is ordered that:

1. The Landlord's application is dismissed.

April 13, 2026
Date Issued

Adeela Alvez
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.