



Order under Section 69 Residential Tenancies Act, 2006

Citation: LI v SUI, 2026 ONLTB 30304

Date: 2026-04-13

File Number: LTB-L-107921-25

In the matter of: Room1, 74 RAMEAU DR.
NORTH YORK ON M2H1T8

Between: JIAN QIANG LI Landlord

And

HUA SUI Tenant

JIAN QIANG LI (the 'Landlord') applied for an order to terminate the tenancy and evict HUA SUI (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant(s) permitted in the residential complex substantially interfered with the reasonable enjoyment of the residential complex or another lawful right, privilege or interest of the Landlord(s) or another tenant.

This application was heard by videoconference on March 9, 2026.

Only the Landlord attended the hearing,

As of 11:15 AM, 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. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy the claim for compensation in the application. Therefore, the application is dismissed.
2. Pursuant to subsection 43(2) of the *Residential Tenancies Act, 2006* (Act), where a landlord gives a tenant a notice of termination it shall also set out the reasons and details respecting the termination
3. The requirement to include sufficient reasons and details in a notice of termination was considered by the Divisional Court in *Ball v. Metro Capital Property*, [2002] O.J. No. 5931 (Div. Ct.). In *Ball*, the Court held that particulars should include the dates and times of the

alleged conduct together with a detailed description of the events. The Court further explained that this requirement ensures that a tenant knows the case to meet, can decide whether to dispute the allegations, and can determine whether to correct the conduct.

4. The Landlord served two N5 notices of termination. I find that neither notice contains sufficient particulars of the alleged conduct.
5. The first N5 states:

“Capturing images of an individual's private life without their consent using a mobile phone and threatening to post it online.”

6. I find this allegation to be vague and lacking in detail. It does not identify who was involved, where the incident occurred, or the specific circumstances of the alleged conduct.
7. The second N5 contains more information but remains deficient. It states:

“After receiving the first N5 warning, he refused to correct his behavior and continues using a mobile phone to record others' private lives.”

8. It further states:

“After receiving the first N5 notice, he refused to correct his behavior and explicitly refused to use a plunger to clear the minor toilet blockage he had caused, which seriously affected public hygiene and others' normal use.”

9. While the second N5 includes dates, it does not clearly connect those dates to specific incidents or provide sufficient detail about what occurred. I find, the allegations remain generalized and lack the necessary particulars required for procedural fairness.
10. I am not satisfied that either notice provides sufficient detail to allow the Tenant to understand the allegations or to respond meaningfully at the hearing. As a result, I find that the Tenant would not have been able to reasonably understand the case they were required to meet.
11. I also note inconsistencies in the Landlord's evidence regarding the service and timing of the notices, which further undermine their validity. It is unclear when the notices were served and whether the Tenant received them.
12. It is well established that an application for eviction cannot succeed where the notice of termination is defective. As both N5 notices are deficient, the appropriate remedy is to dismiss the Landlord's application.

It is ordered that:

1. The Landlord's application is dismissed.

April 13, 2026
Date Issued

Bryan Delorenzi
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.