



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-010447-26

In the matter of: A, 708 O'BRIEN ST
NORTH BAY ON P1B5W7

Between: Denise Lau Landlord
Arthur Lau

And

Mason Barber Tenant

Denise Lau and Arthur Lau (the 'Landlord') applied for an order to terminate the tenancy and evict Mason Barber (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord Arthur Lau attended the hearing.

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.

Preliminary Issue:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The N4 Notice, which is dated January 14, 2026, contains rental periods for December 2025, January 2026, and February 2026. As February 2026 rent had not come due at the time the N4 Notice was issued and served, the Tenant did not have a proper opportunity to void the notice due to the incorrect amount of arrears to January 31, 2026.

2. Section 59(2) of the Act states:

59(2) 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.

3. After hearing submissions from the Landlord I found the N4 Notice defective on its face as it fails to comply with the Act.

4. The Landlord acknowledged the error on the N4 Notice and elected to proceed with an arrears only application without the possibility of an eviction.

Determinations:

5. As of the hearing date, the Tenant was still in possession of the rental unit.
6. The lawful rent is \$2,200.00. It is due on the 1st day of each month.
7. The Tenant has not made any payments since the application was filed.
8. The rent arrears owing to April 30, 2026 are \$11,000.00.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay the Landlord \$11,186.00 for rent arrears to April 30, 2026 and the application filing fee.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 27, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 28, 2026 at 4.00% annually on the balance outstanding.

April 16, 2026
Date Issued

Brett Lockwood
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.