



Order under Section 69 Residential Tenancies Act, 2006

Citation: Naqvi v Abbey, 2026 ONLTB 32144

Date: 2026-04-23

File Number: LTB-L-010828-26

In the matter of: 2 Clipper Lane
Clarington ON L1C3K3

Between: Syeda Sana Naqvi Landlord

And

Warren Abbey Tenants
Breanna Abbey

Syeda Sana Naqvi (the 'Landlord') applied for an order to terminate the tenancy and evict Warren Abbey and Breanna Abbey (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 16, 2026.

The Landlord, the Landlord's Legal Representative Akshay Mahajan, and the Tenants attended the hearing. The Tenants declined to speak to Tenants Duty Counsel.

Determinations:

1. The Tenants pointed to a defect in the N4 notice that they submit is a fatal error in the notice. The Tenants are of the opinion that the application should be dismissed because the rental period, rent charged, and rent paid and rent owing section are incorrectly filled out.
2. The Landlord's Legal Representative acknowledged the same and submitted it was discovered after extensive discussions during a failed mediation prior to this hearing.
3. Considering the parties' respective submissions and documentary evidence, it is my view that the N4 notice is defective. I find that there is a fatal error in the notice since the N4 notice was inaccurate regarding the rent arrears owed, the rental period, the rent charged, and the rent paid.
4. I also noted to the Landlord's Legal Representative, the Landlord could pursue another application, with a new N4 notice to be served upon the Tenants or the Landlord could proceed forward on the arrears only.

5. In the above circumstances, the Landlord's Legal Representative sought to withdraw the application as opposed to proceed for arrears only and I consented to the request.

It is ordered that:

1. The Landlord's application is dismissed as withdrawn.

April 23, 2026
Date Issued

Panagiotis P. Roupas
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.