



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-001315-26

In the matter of: 402, 1960-A PARIS ST
SUDBURY ON P3E4V2

Between: Greater Sudbury Housing Corporation Landlord

And

James Boucher Tenant

Greater Sudbury Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict James Boucher (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's agent Suzette Pellerin 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.

Defective N4 and N8 Notices

1. At the hearing a preliminary issue arose with respect to the validity of the N4 Notice of Termination ('N4 notice'). The N4 notice included rent that had already been paid, it did not accurately reflect the rent arrears owing and is therefore defective.
2. The Residential Tenancies Act, 2006 (the "Act") at section 59(2) requires particular contents of an N4 Notice of Termination, which includes the requirement that a notice of termination for non-payment of rent must accurately set out the amount of rent arrears owing at the time the notice is given.
3. Given the error contained in the N4 Notice of Termination, the period of rent arrears claimed is ambiguous and does not properly reflect the exact periods of monthly rent that are being alleged. Since the N4 Notice did not properly give the Tenant the opportunity to understand what specific periods of alleged rent arrears were being claimed, the N4 Notice is rendered invalid.
4. The Landlord was explained the options available as a result of the defective N4 including withdrawing the L1 application, serving a new N4 notice and filing a new application or

proceeding with the current application to collect arrears of rent only pursuant to Section 87 (1) (a) of the Act. The Landlord was advised that proceeding with arrears of rent only would not include a provision terminating the tenancy.

5. The Landlord requested to withdraw the applications without prejudice in accordance with s.200(4) of the Act. I consent to the withdrawal request. As the N4 Notice and the N8 Notice do not comply with the statutory requirements, the Board will issue an order noting the withdrawal of the applications. No termination or arrears order will be granted.

It is ordered that:

1. The Landlord's L1 Application is Withdrawn

April 22, 2026

Date Issued

Nathan Korenberg

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