



Order under Section 69 Residential Tenancies Act, 2006

Citation: Villev Property Management Inc v Corrivea, 2026 ONLTB 31891

Date: 2026-04-28

File Number: LTB-L-010213-26

In the matter of: 381 SHEPHERD ST
SARNIA ON N7T3J8

Between: Villev Property Management Inc Landlord

And

Samantha Corrivea Tenant

Villev Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Samantha Corrivea (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 13, 2026.

Only the Landlord, Daniel Falla, attended the hearing.

As of 9:59 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Landlord and Tenant Board (the 'Board'). There was no record of a request to reschedule the hearing.

Determinations:

1. As stated at the hearing, the Landlord's application was filed prematurely. Subsection 74(1) of the *Residential Tenancies Act, 2006* (the 'Act') says:

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.**

[Emphasis added.]

2. The Landlord's application was filed with the Board on February 3, 2026, which is also the date of termination on the Landlord's notice of termination in Form N4. This means the Landlord's application was filed prematurely and the Board lacks the jurisdiction to consider the eviction application.
3. As a result, the Landlord's application is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 28, 2026
Date Issued

Heather Woodside
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.