



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-012924-26

In the matter of: 465 MAITLAND ST
LONDON ON N6B2Z4

Between: ANCR Property Group Inc. Landlord

And

Judith McNichol Tenant

ANCR Property Group Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Judith McNichol (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 21, 2026.

Only the Landlord's Agent Nasser Zabian attended the hearing.

As of 1:36 pm, 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. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Landlord did not file any certificate of service related to this N4 notice of termination.
3. Section 53(1), of O. Reg 516/06 (the "Regulations") provides that an application with respect to a notice of termination on any ground must include both a copy of the notice of termination and a certificate of service for the notice of termination if the notice was given by the landlord.
4. Section 59(2) of the regulations provides that where an application is filed electronically, the required documents must be received by the LTB within 5 days of the electronic filing of the application.

5. Section 185 (1) of the act provides that an application filed with the LTB shall be accompanied by the documents prescribed in the regulations.
6. I find that as no certificate of service was filed within 5 days of the date of filing the application, there was no complete application to proceed on.
7. For the reasons noted above, the LTB lacks jurisdiction to grant the application based on the N4 Notice.

It is ordered that:

1. The Landlord's application is dismissed.

April 28, 2026
Date Issued

Brenda Mercer
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.