



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

File Number: LTB-L-004035-26

In the matter of: 610, 1155 JOSEPH CYR ST
GLOUCESTER ON K1J7T4

Between: Joe Cyr I LP c/o Colonnade Bridgeprrt Landlord

And

Sylvie Ndifor Tenant

Joe Cyr I LP c/o Colonnade Bridgeprrt (the 'Landlord') applied for an order to terminate the tenancy and evict Sylvie Ndifor (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 25, 2026.

The Landlord's Agents, Hetal Patel and Bill Meszaros, the Landlord's Legal Representative, Allan Kouri, and the Tenant attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) with a termination date of December 30, 2025.
2. The Tenant testified that she vacated the unit on December 30, 2025 in accordance with the N4 Notice. She did not notify the Landlord that she had vacated the unit and she left the keys to the rental unit on the kitchen counter.
3. The Tenant provided copies of cancellation notices for utilities (hydro, water & internet) with a termination date of December 30, 2025.
4. The Landlord filed their L1 application on January 14, 2026.
5. The Landlord states that they became aware that the Tenant vacated the rental unit via an email sent by the Tenant on January 14, 2026 at 4:49 p.m., presumably in response to the "Welcome Emails" sent by the Board to all parties on January 14, 2026 at 3:54 p.m.
6. As per subsection 43(2) of the *Residential Tenancies Act, 2006* (the 'Act'), the tenancy lawfully terminated on December 30, 2025, because the Tenant vacated the rental unit in accordance with the N4 Notice. The Act does not require the Tenant to provide the Landlord with a notice in these circumstances

7. In accordance with subsection 87(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act'), a tenant must be in possession of the rental unit on the date the application is filed with the Board. In this case, I find that the Tenant vacated the rental unit on December 30, 2025. As such, I have no jurisdiction to consider the Landlord's application for termination and eviction under section 69.

It is ordered that:

1. The tenancy between the Landlord and Tenant terminated effective December 30, 2025.
2. The Landlord's L1 application is dismissed.

May 6, 2026
Date Issued

Curtis Smith
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.