



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-029329-26

In the matter of: Unit 5, 177 KENT ST
LONDON ON N6A1L5

Between: Julia DiVincenzo Landlord
Francesca Collela

And

William Patton Tenant

Julia DiVincenzo and Francesca Collela (the 'Landlord') applied for an order to terminate the tenancy and evict William Patton (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully caused undue damage to the premises.

This application was heard by videoconference on April 30, 2026.

Only the Landlord's Legal Representative Jason Di Fruscia and the Landlord attended the hearing.

As of 1:09 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.

Preliminary Issues:

1. On March 28, 2026, the Landlord served the Tenant an N7 Notice of Termination ('N7 Notice') by posting it on the rental unit door. Both the Landlord and the Landlord's Representative confirmed that the notice was not served in another way. The Landlord sent a text message to the Tenant stating that the notice was delivered but did not receive a response. The Landlord was unable to demonstrate that the N7 Notice came to the attention of the Tenant at least 10 days before the termination date in the notice.

2. A notice of termination cannot be served by posting it on the door of a rental unit. As such, I am not satisfied that the N7 Notice was validly served. A tenancy cannot be terminated based on a notice that was not properly served to the tenant. Therefore, the application is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

May 8, 2026
Date Issued

Kate Sinipostolova
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.