



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-017639-26

In the matter of: O, 523 Sunnydale Pl.
Waterloo, ON N2L 4S9

Between: Sunnydale Holdings Ltd. Landlord

And

Mathew Bradley Tenants
Ebony Menzies

Sunnydale Holdings Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Mathew Bradley and Ebony Menzies (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 5, 2026.

The Landlord's Agent, Peter Gamer, and the Tenants attended the hearing.

Determinations:

1. On February 9, 2026 the Landlord served a Notice of Termination (N4 notice) with a termination date of February 24, 2026. The N4 notice indicates the rental period is from January 2, 2026 to January 28, 2026.
2. At the hearing, the Landlord's agent stated that the rental period is from the first day of each month to the last day of that same month.
3. The Landlord's N4 notice is defective as it does not properly identify the correct rental period and as such, does not comply with section 59(2) of the *Residential Tenancies Act, 2006 (Act)*. As the N4 notice is defective the Board does not have the authority to terminate the tenancy.
4. The Landlord's agent 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*.
5. As a result of my determination regarding the N4 notice being defective, the Landlord's agent sought to withdraw the application on a without prejudice basis and I consented to the request.

It is ordered that:

1. The application having been withdrawn; the LTB's file is closed.

May 8, 2026
Date Issued

Christina Philp
Member, Landlord and Tenants 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.