



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-014834-26

In the matter of: 195 MOUNTSHANNON DR
NEPEAN ON K2J4N4

Between: Sandra Emerson Landlords
Joyce Harvey

And

Julian Baker Tenant

Sandra Emerson and Joyce Harvey (the 'Landlords') applied for an order to terminate the tenancy and evict Julian Baker (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 15, 2026.

The Landlords, their representative Carson Frankum, and the Tenant attended the hearing.

Determinations:

1. As explained at the hearing and below, the Landlords' application must fail as it does not comply with subsection 59(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act').
2. The Landlords served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The termination date on the N4 Notice was February 5, 2026. The Landlords served the N4 Notice by courier on January 22, 2026.
3. Rule 3.9(c) of the LTB Rules of Procedure states "A document is considered served on the day after it was given to the courier...".
4. Since the N4 Notice was sent by courier on January 22, 2026 the termination date of February 5, 2026 does not comply with the requirement of subsection 59(1)(b) which states the date of termination cannot be earlier than 14 days after the notice is given.
5. For these reasons, I found the Landlords' notice of termination to be invalid. The Board cannot issue an order terminating the tenancy without a valid notice of termination.
6. The After I found that the N4 Notice was defective, the Landlord requested the consent of the Board to withdraw the application.
7. In accordance with subsection 200(4) of the Act, I consent to the withdrawal of the application.

It is ordered that:

1. The Landlord's application is withdrawn.

May 19, 2026
Date Issued

Elena Jacob
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.