



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

File Number: LTB-L-018560-26

In the matter of: Basement, 51 ABBOTSBURY DR
BRAMPTON ON L6X0S2

Between: Stephen Lesly Krishnaswami Landlord

And

Chivonne Lumsden Tenant

Stephen Lesly Krishnaswami (the 'Landlord') applied for an order to terminate the tenancy and evict Chivonne Lumsden (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 7, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

Preliminary Issue – Validity of the N4 Notice

1. At the hearing, I raised a preliminary issue that the N4 Notice is defective.
2. Section 59(2) of the *Residential Tenancies Act, 2006* (the 'Act') states that an N4 must set out the amount of rent due. One of the purposes of accurately setting out the amount of rent due is so that a tenant understands the amount of rent they must pay to void the notice.
3. The N4 notice served upon the Tenant claims 14 months of rent during a 13-month period.
4. I find that the N4 notice served upon the Tenant is confusing and did not accurately reflect the amount of rent outstanding. As a result, the N4 notice does not comply with the requirements set out in section 59(2) of the Act and is defective. A tenancy may not be terminated in accordance with an invalid notice of termination. The Landlord was given the option to pursue an order for the arrears of rent only or to withdraw the application. The Landlord sought an order for the arrears of rent only and I was satisfied that the Landlord understood the consequences of this request.
5. As of the hearing date, the Tenant was still in possession of the rental unit.

6. The Tenant did not pay the total rent they were required to pay for the period from January 1, 2025 to May 31, 2026.
7. The lawful rent is \$1,850.00. It is due on the 1st day of each month.
8. The Tenant has paid \$8,600.00 to the Landlord after the application was filed.
9. The rent arrears owing to May 31, 2026 are \$11,850.00.
10. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$12,036.00. This amount includes rent arrears owing up to May 31, 2026 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 2, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 3, 2026 at 4.00% annually on the balance outstanding.

May 22, 2026
Date Issued

Christopher Lin
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.