



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

File Number: LTB-L-023443-26

In the matter of: 202, 1328 GERRARD ST E
TORONTO ON M4L1Z1

Between: 1330 Gerrard Inc Landlord

And

Sam Gebre-Hiwet Tenant

1330 Gerrard Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Sam Gebre-Hiwet (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on May 27, 2026.

Only the Landlord's Agent, Dora Varga, attended the hearing.

As of 9:36a.m., 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.

Determinations:

1. As explained below, the Landlord's N8 notice is defective, and therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On February 20, 2026, the Landlord gave the Tenant an N8 notice of termination with a termination date of May 1, 2026.
4. Sections 44 and 58(2) and of the *Residential Tenancies Act, 2006* (Act) requires that an N8 served in relation to a monthly tenancy contain a termination date that is last day of the rental period.

5. The documentary evidence provided shows this is a month-to-month tenancy, and rent is due on the 1st of the month, which would generally, in the absence of evidence to the contrary, make the end of the rental period the 30th or 31st day of the month.
6. As the date of termination was not the last day of the rental period, the N8 notice is invalid, and the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

June 2, 2026
Date Issued

Allana McComb
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.