



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-014701-26

In the matter of: 164 SYCAMORE LANE
ERINSVILLE ON K0K2A0

Between: Yasir Rauf Khan Landlord

And

Garath Drake Peacock Tenants
Angie Christine Shaw
Marc Owen D Shaw
Mieke Elizabete Van Dyke

Yasir Rauf Khan (the 'Landlord') applied for an order to terminate the tenancy and evict Garath Drake Peacock, Angie Christine Shaw, Marc Owen D Shaw and Mieke Elizabete Van Dyke (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe^s.

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

Only the Landlord attended the hearing.

As of 2:45 p.m., the Tenants were 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.

Determinations:

1. At the hearing, the issue was raised regarding the monthly rent reflected on the N4 Notice of termination ('N4 notice'). The N4 notice reflects that for the period from January 1, 2026 to January 31, 2026, the monthly rent charged and owing is \$2,979.38. The application reflects the monthly rent is \$2,074.35.
2. The Landlord confirmed that the monthly rent is \$2,000.00.
3. A N4 notice of termination is served pursuant to section 59 of the *Residential Tenancies Act, 2006* (the Act). Subsection 59(2) of the Act states:

Contents of notice

(2) The notice of termination shall set out the amount of rent due and shall specify that the tenant may avoid the termination of the tenancy by paying, on or before the termination date specified in the notice, the rent due as set out in

the notice and any additional rent that has become due under the tenancy agreement as at the date of payment by the tenant.

4. The Landlord's N4 notice is defective as it does not accurately set out the amount of rent charged for the rental period, although the correct amount required to be paid by the Tenants to void the notice of termination is reflected. As the notice is defective on its face, it does not comply with subsection 59(2) of the Act and the Board does not have jurisdiction to terminate the tenancy on this application.
5. After I made my ruling on the N4 notice the Landlord sought to withdraw the application and I consented to the request. As such, the matter is withdrawn without prejudice.

It is ordered that:

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 The application having been withdrawn, the LTB's file is closed.

June 15, 2026
Date Issued

Christina Philp
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.