



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

File Number: LTB-L-014919-26

In the matter of: 209, 44 ECCLES ST
OTTAWA ON K1R6S4

Between: Cornerstone Housing for Women Landlord

And

Angel McNeely Tenant

Cornerstone Housing for Women (the 'Landlord') applied for an order to terminate the tenancy and evict Angel McNeely (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

This application was heard by videoconference on June 11, 2026.

Only the Landlord's Agent, Terri Lynn George, attended the hearing.

As of 2:00 p.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:

Preliminary Issue:

The First N5 Notice of Termination (N5 Notice) Deemed Invalid

1. The application is based on a second N5 Notice alleging that the Tenant substantially interfered with another tenant's or the landlord's reasonable enjoyment of the residential complex by removing the fire alarm from the rental unit. In order to get to the second N5 Notice, I must determine that the first N5 Notice is deemed valid.
2. The Landlord served the first N5 Notice to the Tenant in person on September 18, 2026, with a date of termination of September 29, 2026. The first N5 Notice also alleges that the

Tenant substantially interfered with another tenant's or the landlord's reasonable enjoyment of the rental unit by tampering with the fire alarm and clutter issues within their rental unit.

3. Section 64 of the *Residential Tenancies Act, 2006* (the 'Act') states that:

(1) A landlord may give a tenant notice of termination of the tenancy if the conduct of the tenant, another occupant of the rental unit or a person permitted in the residential complex by the tenant is such that it substantially interferes with the reasonable enjoyment of the residential complex for all usual purposes by the landlord or another tenant or substantially interferes with another lawful right, privilege or interest of the landlord or another tenant. 2006, c. 17, s. 64 (1).

(2) A notice of termination under subsection (1) shall,

(a) provide a termination date not earlier than the 20th day after the notice is given;

(b) set out the grounds for termination; and

(c) require the tenant, within seven days, to stop the conduct or activity or correct the omission set out in the notice. 2006, c. 17, s. 64 (2).

4. The first N5 Notice was given to the Tenant on September 18, 2026, with a date of termination of September 29, 2026, which is an 11 day termination date after the N5 Notice was given. The N5 Notice does not comply with section 64(2)(a) of the Act and cannot form the basis of an application which seeks termination of the tenancy, as the Tenant was not provided with a minimum of 20 days' notice. As such, the first N5 Notice is invalid and the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

June 19, 2026
Date Issued

Paula West Oreskovich
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.