



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-025931-26

In the matter of: 32, 10 Sawmill Road
Barrie ON L4N6X3

Between: Curtly Newland Landlord

And

Jason Bissonnette Tenant

Curtly Newland (the 'Landlord') applied for an order to terminate the tenancy and evict Jason Bissonnette (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 8, 2026. The Landlord and the Tenant attended the hearing.

Determinations:

1. At the hearing I noted that, according to the Certificate of Service filed with the Board, the N4 notice of termination (the 'N4 Notice') was served on the Tenant by placing it under the rental unit door on March 9, 2026. This means that it was deemed served on March 10, 2026.
2. The termination date set out in the N4 Notice is March 22, 2026. This means the Tenant received 13 days notice. Pursuant to subsection 59(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act') a notice for non-payment of rent must be given at least 14 days before the termination date in the notice for a monthly tenancy.
3. The Landlord submitted that the Tenant was also served by email and WhatsApp the day prior. Subsection 191(2) of the Act allows the Board to deem a notice or document to be validly given if it is proved that the contents of the notice or document came to the attention of the person for who it was intended. The Landlord was unable to establish that he had consent to serve documents by email on the Tenant and he was unable to establish that the email or the WhatsApp message came to the Tenant's attention.
4. For these reasons, I found that the N4 was not served in accordance with the Act and was therefore defective. The Board cannot terminate a tenancy based on a defective notice of termination. Accordingly, the Landlord was given the option of withdrawing the application or proceeding with the application to obtain an order for arrears only.
5. The Landlord requested to withdraw the application and I consented to the request.

It is ordered that:

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 The application having been withdrawn, the LTB's file is closed.

June 22, 2026
Date Issued

Rachel Gibbons
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.