



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

**File Number:** LTB-L-023756-26

**In the matter of:** 101 Gladstone  
Brantford ON L3S1P6

**Between:** Zlatko Nackoski Landlord

**And**

Jesse Mask Tenants  
Danielle Giddings

Zlatko Nackoski (the 'Landlord') applied for an order to terminate the tenancy and evict Jesse Mask and Danielle Giddings (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 10, 2026.

Only the Landlord attended the hearing.

As of 4:20 PM, 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. Only the second page of the Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) given to the Tenants was uploaded to the Tribunals Ontario Portal (TOP) by the Landlord. The Landlord stated he did not have access to the first page because he was driving.
2. In the absence of the complete N4 Notice, I am unable to determine whether it complies with the requirements of the Residential Tenancies Act, 2006 (the 'Act') for early termination of a tenancy. As stated in Interpretation Guideline 10 – Procedural Issues Regarding Eviction Applications: "The Notice of Termination (the Notice) is an essential step in the landlord's process of evicting a tenant. The Board will not terminate a tenancy and order eviction of the tenant unless the tenant has received a valid Notice of Termination from the landlord and the landlord has successfully proved the ground claimed in the Notice at the hearing of the application."

3. As only a partial Notice was provided, I find that the Landlord has failed to establish, on a balance of probabilities, that a valid Notice of Termination was given to the Tenants.
4. Additionally, Rules 4.4 and 4.5 of the LTB's Rules of Procedure provide:

**4.4** Where the LTB permits an application to be filed using TOP, **any related Notice of Termination, affidavit, or Certificate of Service must be also uploaded at the time of filing.**

**4.5** If the Notice of Termination, affidavit or Certificate of Service cannot be uploaded at the same time as the application is filed using TOP, they must be filed with the LTB within 5 calendar days of filing. **Failure to file these documents in time may result in administrative dismissal of the application.**

[emphasis added]

5. The Landlord was offered the option to seek an order for arrears only. As the Landlord was unable to immediately indicate whether he wished to pursue this option, the matter was stood down to allow time for consideration. When the matter was recalled at approximately 4:20 PM, the Landlord was no longer in attendance, having exited the Zoom videoconference at some point earlier.
6. In any event, as the Landlord did not remain at the hearing to support the application, I find that the application has been abandoned.

**It is ordered that:**

1. The Landlord's application is dismissed.

**June 17, 2026**  
**Date Issued**

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Melissa Anjema  
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.