



Order under Section 69 Residential Tenancies Act, 2006

Citation: Circle Community LandTrust Inc. v Suleiman, 2026 ONLTB 48924

Date: 2026-06-22

File Number: LTB-L-034982-26

In the matter of: 114 CELESTE DR
SCARBOROUGH ON M1E2V1

Between: Circle Community LandTrust Inc. Landlord

And

Jemal Suleiman Tenants
Saada Ibrahim

Circle Community LandTrust Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Jemal Suleiman and Saada Ibrahim (the 'Tenants') because the Tenants have been persistently late in paying the Tenants' rent.

This application was heard by videoconference on June 18, 2026.

The Landlord's Agent, Maariyah Iqbal, and the Tenant, Saada Ibrahim, attended the hearing.

Determinations:

1. At the start of the hearing, I raised the issue of when the application was filed.
2. The N8 notice of termination was mailed to the Tenants on April 21, 2026.
3. Section 191(3) of the *Residential Tenancies Act*, 2006 (the 'Act') provides that a notice or document given by mail is deemed given on the fifth day after mailing. Therefore, the N8 notice was deemed to have been given to the Tenants on April 26, 2026, 5 days after it was mailed.
4. Section 69 of the Act provides that a landlord may apply to the Board for an order terminating the tenancy and evicting the tenancy **if the landlord has given notice to terminate** the tenancy (emphasis added).
5. Here, the application was filed on April 21, 2026, the day the notice was mailed to the Tenants. The problem is that the notice was not deemed given to the Tenants until April 26, 2026. As such, the application was filed before the Landlord had given a notice of termination to the Tenants contrary to section 69 of the Act.

6. Therefore, the Landlord's application must be dismissed as the Landlord was not permitted to file the application until after the Landlord had given the notice of termination to the Tenants.

It is ordered that:

1. The Landlord's application is dismissed.

June 22, 2026
Date Issued

Nicole Pedron
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.