



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-031765-26

In the matter of: 4, 17 DUNDAS ST E
BRANTFORD ON N3R1R5

Between: Adalgisa Protopapa Landlords
Frederick Protopapa
Layla Protopapa

And

James Holloway Tenants
William Holloway
Cecilia Jukes

Adalgisa Protopapa, Frederick Protopapa & Layla Protopapa (the 'Landlords') applied for an order to terminate the tenancy and evict James Holloway, William Holloway and Cecilia Jukes (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on June 23, 2026.

The Landlord's Legal Representative, Susanne Draper and the Landlords, Adalgisa Protopapa and Layla Protopapa attended the hearing.

The Tenants, James Holloway and Cecilia Jukes attended the hearing.

Preliminary Issue:

1. The termination date on the N4 is illegible and the Tenants did not know the date they had to pay the arrears by on the N4 (termination date).
2. It appears from the N4 that there was a date originally written and then a change was made over top of the original written date.
3. There was no dispute from the Landlord's Legal Representative that this date was illegible, and the correct date should read March 19, 2026.
4. I find the N4 is defective as the date in which the Tenants must pay the arrears is illegible. As this date is illegible the Tenants cannot be expected to know their legal deadline to void the notice by paying off their rent arrears.

5. The Landlords were explained the options available as a result of the defective N4 notice including withdrawing the L1 application, serving a new N4 notice and filing a new application or proceeding with the current application to collect arrears of rent only pursuant to Section 87 (1) (a) of the Act.
6. The Landlord's Legal Representative requested to withdraw the application.

It is ordered that:

1. The Landlord's application is withdrawn without prejudice.

June 30, 2026
Date Issued

Trish Carson
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.