



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

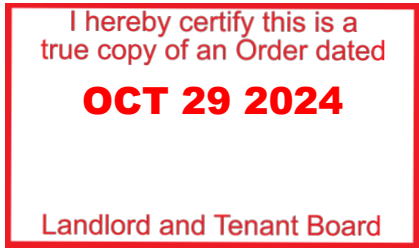
**File Number: LTB-L-059814-24**

**In the matter of:** 243 THE WESTWAY  
ETOBICOKE ON M9R1E9

**Between:** SANJAY SOMA  
HEMA SUDHA MALLA

**And**

DENNE LEE GOBERIS



Landlord

Tenant

SANJAY SOMA and HEMA SUDHA MALLA (the 'Landlord') applied for an order to terminate the tenancy and evict DENNE LEE GOBERIS (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 23, 2024.

The Landlord and the Tenant attended the hearing.

**Determinations:**

1. The Landlord served the Tenant with an invalid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. The Landlord testified that 243 The Westway has 2 self contained rental units and the Tenant resides in the upper unit. The N4 that was served to the Tenant does not specify "upper unit".
3. Section 43 (1) (a) of the *Residential Tenancies Act, 2006* says:  
  
43 (1) Where this Act permits a landlord or tenant to give a notice of termination, the notice shall be in a form approved by the Board and shall,  
  
(a) identify the rental unit for which the notice is given
4. As the Landlord's N4 notice fails to identify the rental unit, it is invalid.
5. The Landlord chose to withdraw their application and chose not to proceed for an order for arrears only. As such, the Landlord's application is withdrawn.

**It is ordered that:**

1. The Landlord's application is withdrawn, and the Board's file is closed.

**October 29, 2024**

**Date Issued**



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Emily Robb

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.