



Tribunals Ontario

Landlord and Tenant Board

Form L4

Landlord's Application to End a Tenancy and Evict a Tenant Where Tenant failed to Meet Conditions of a Settlement or Order

Instructions

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**SECTION
A**

When to use this application

You can use this Form L4 application to apply to the Landlord and Tenant Board (LTB) for an order to **end a tenancy** and **evict a tenant** where the tenant has not met the conditions in a mediated settlement or order, and the mediated settlement or order allows you to file this application.

If the mediated settlement or order was based on an *Application to Evict a Tenant for Non-Payment of Rent and to Collect Rent the Tenant Owes* (Form L1), and the mediated settlement or order required the tenant to pay rent or some or all of the arrears of rent, you can also apply for arrears of rent and compensation that the tenant has not paid.

If the mediated settlement or order was based on an *Application to End a Tenancy and Evict a Tenant* (Form L2) and the mediated settlement or order required the tenant to pay an amount for damages, you can also apply for compensation for damages that the tenant has not paid.

If you are applying for arrears of rent and/or compensation for damages, you can also include in your application any charges related to an NSF cheque.

You must file this application no later than **30 days** after the tenant failed to meet a specified condition of the mediated settlement or the order.

**SECTION
B**

When can you make this application

In order to make this application **all** of the following conditions have to be met:

- You must have previously applied to the LTB for an order ending the tenancy or evicting the tenant
- and**
- As a result of that application, you and the tenant resolved the application by way of a settlement mediated by the LTB, or the LTB issued an order that set out conditions the tenant had to meet
- and**
- The mediated settlement or order contained a term that allowed you to make this application if the tenant did not comply with certain conditions which relate to the same reason that you applied for in the original application
- and**
- The tenant has not met a specified condition set out in the mediated settlement or order within the past 30 days.

In addition to asking the LTB for an order to end the tenancy and evict the tenant, you can sometimes also ask the LTB to order the tenant to pay arrears of rent and compensation or unpaid compensation for damages.

In order to also apply for arrears of rent and compensation:

- You must have previously applied for payment of arrears of rent **at the same time** as you applied to end the tenancy and evict the tenant **and**
- The order or mediated settlement must have required the tenant to pay rent or some or all of the arrears of rent.

In order to also apply for compensation for damages:

- You must have previously applied for compensation for damages **at the same time** as you applied to end the tenancy and evict the tenant **and**
- The order or mediated settlement must have required the tenant to pay an amount for damages.

SECTION C

How to complete this application

Read these instructions before completing the application form. You are responsible for ensuring that your application is correct and complete. Follow the instructions carefully when you complete the application form.

PART 1: GENERAL INFORMATION

Address of the Rental Unit Covered by this Application

Fill in the complete address of the rental unit, including the unit number (or apartment or suite number) and the postal code.

If the street name includes a direction that will not fit in the five spaces provided (such as Northeast) use the following abbreviations: *NE* for Northeast, *NW* for Northwest, *SE* for Southeast, *SW* for Southwest.

Reason 1

Select this reason if you are **only** applying for an order to end the tenancy and evict the tenant. Then proceed to Part 4 of the application form.

Reason 2

Select this reason if you are applying for both an order ending the tenancy **and** for arrears of rent and other charges owing, including any additional rent that the tenant has not paid since the date of the mediated settlement or order. You can **only** choose this reason if your mediated settlement or order was based on an [Application to Evict a Tenant for Non-Payment of Rent and to Collect Rent the Tenant Owes](#) (Form L1).

Reason 3

Select this reason if you are applying for both an order ending the tenancy **and** for compensation for damages and other charges the tenant owes. You can **only** choose this reason if your mediated settlement or order was based on an [Application to End a Tenancy and Evict a Tenant](#) (Form L2).

Note: The most the LTB can order based on your claim is \$25,000. If you believe the tenant owes you more than \$25,000, and you want to collect the full amount, you should apply to court and not to the LTB. Once the LTB issues an order based on your application, you no longer have any claim to amounts greater than \$25,000 from your tenant.

Calculation of Amount Owning:

To calculate the total amount the tenant owes you, complete the following steps:

1. In the first line, fill in the total amount from the mediated settlement or order that the tenant was required to pay.
2. In the second line, fill in any amounts the tenant has paid you towards the amount set out in the mediated settlement or order.
3. Next, subtract the amounts the tenant has paid (amount in line 2) from the amount in line 1. The result is the total amount the tenant *still* owes you from the mediated settlement or order.
4. In the fourth line, fill in any NSF charges that came due **after** the date of the mediated settlement or order that the tenant has not paid. Note: The maximum administration charge for an NSF cheque allowed by the *Residential Tenancies Act* (the RTA) is \$20 per cheque.
5. In the fifth line, fill in any additional rent that came due **after** the date of the mediated settlement or order that the tenant has not paid. You can only include an amount for additional rent if you are applying under Reason 2 above.
6. Next, add the amounts from lines 3, 4 and 5 and fill in the total amount on the form. This is the total amount the tenant now owes.

Example:

Nancy had applied to the LTB to end the tenancy and evict Alex, and for an order for the payment of the \$500 Alex owed in rent. Through mediation, Nancy and Alex came up with an agreement to resolve this application. In their mediated agreement dated January 25, 2018, Alex agreed to pay the amounts set out below. They also agreed that if Alex missed any payment, Nancy could apply for an order to end the tenancy and evict Alex, for arrears of rent, and for the payment of any compensation Alex owes.

They agreed Alex would pay as follows:

1. \$400 towards the rent arrears on January 31, 2018 and \$100 towards rent arrears on February 15, 2018, for a total of \$500 in rent arrears,
2. \$190 for the application fee on February 10, 2018, and
3. \$800 for February’s rent on February 1, 2018.

Alex paid \$200 towards the rent arrears on January 31, 2018, but did not pay any other amounts. As a result, on February 5, 2018, Nancy filed this application to end the tenancy and evict Alex and for an order for payment of the money that Alex owes.

Nancy calculated the amount owing as follows:

I have calculated the total amount the tenant owes me as follows:

The total amount the mediated settlement or order requires the tenant to pay	\$	<input type="text" value=""/>	.	<input type="text" value="0"/>
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Subtract any amounts the tenant has paid you towards the amount set out in the mediated settlement or order	- \$	<input type="text" value=""/>	.	<input type="text" value="0"/>
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This is the total amount the tenant still owes from the mediated settlement or order:	= \$	<input type="text" value=""/>	.	<input type="text" value="0"/>
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Add any NSF charges that came due after the date of the mediated settlement or order that the tenant has not paid	+ \$	<input type="text" value=""/>	.	<input type="text" value="0"/>
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If you are applying under Reason 2 above, add any rent that came due after the date of the mediated settlement or order that the tenant has not paid	+ \$	<input type="text" value=""/>	.	<input type="text" value=""/>
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Total amount the tenant now owes	= \$	<input type="text" value=""/>	,	<input type="text" value="2"/>	.	<input type="text" value="0"/>
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Current Rent:

On the form, fill in the tenant’s current rent and shade the appropriate box to indicate whether the tenant pays rent by the month, week or other. If you choose “other”, fill in the frequency of rent payments (for example, bi-weekly) in the space provided.

If you applied for Reason 3, then you must also indicate whether or not the tenant paid the full rent owing for the month in which you are filing the application.

PART 4: SIGNATURE

If you are the landlord, shade the box marked “Landlord”. Then, sign the application form and fill in the date.

If you are the landlord’s legal representative, shade the box marked “Legal Representative”. Then, sign the application form and fill in the date.

SECTION D

How to complete the Form L4 Declaration

A declaration **must** be attached to the Form L4 application. The information that must be contained in the declaration will vary depending on the reason for making the application. If any of the information in the declaration does not relate to your situation, make sure you cross out that part of the declaration and initial the deletion.

Section A: Information about the Conditions the Tenant Failed to Meet

In the spaces provided, print your name and the name of the city, town or municipality where you live.

In the box on the form, indicate the condition(s) in the mediated settlement or order that were not met within the last 30 days, and how they were not met.

If you selected **Reason 1** on the application, you must complete Section A and Section E of the declaration form.

If you selected **Reason 2** and/or **Reason 3** on the application, you must complete all sections of the declaration form.

Section B - New Rent and Charges Owing

New Rent Owing

Complete this chart if the tenant has failed to pay rent or part of the rent that became due **after** the date of the order or mediated settlement **and** the mediated settlement or order required the tenant to pay rent or arrears of rent. If the tenant does not owe any new rent, mark “N/A” in Section B.

Example:

Jill filed an application to end the tenancy and evict Chris and for an order for the payment of arrears of rent. The parties settled the application through mediation. However, Chris did not pay the \$250 arrears payment that was due on January 25, 2018. As well, he did not give Jill the rent payment of \$750 that was to be paid on February 1, 2018. As a result, Jill’s application, which was filed on February 4, 2018, includes the *new* rent arrears that are owing.

Jill filled out the table on the form as follows:

Rent Period		Rent Charged \$	Rent Paid \$	Rent Owning \$
From: (dd/mm/yyyy)	To: (dd/mm/yyyy)			
01/02/2018	28/02/2018	750.00	0.00	750.00
Total New Rent Arrears Owning \$				750.00

New NSF and/or related Administration Charges Owning

If you have incurred any *new* NSF cheque charges or related fees **after** the date of the order or mediated settlement, complete the chart on the form. The NSF cheque charge is the actual amount the financial institution charged you. The maximum related administration charge allowed by the RTA is \$20 per cheque. If the tenant does not owe any new NSF charges, mark "N/A" in this section of the declaration form.

Example: Stan had made an application to end the tenancy and evict Jean and for an order for the payment of arrears of rent. The parties had settled this application through mediation. As per the terms of the agreement, Jean gave Stan a cheque for \$1000 for arrears dated February 1, 2018, but the cheque was returned NSF. The bank charged Stan an NSF fee of \$5.

Stan filled out the table on the form as follows:

Cheque Amount \$	Date of Cheque dd/mm/yyyy	Date NSF Charge Incurred dd/mm/yyyy	Bank Charge for NSF Cheque \$	Landlord's Administration Charge \$	Total Charge \$
1,000.00	01/02/2018	14/02/2018	5.00	20.00	25.00
Total NSF Related Charges Owning \$					25.00

Section C: Information about the Rent Deposit

When determining any amount the tenant may owe you, the LTB will subtract any rent deposit and interest you owe the tenant. If you are still holding a last month's rent deposit, complete this section of the form.

- First, fill in the amount of rent that you are currently holding as a rent deposit.
- Next, fill in the date you collected the rent deposit.
- Finally, if you have paid the tenant interest on the rent deposit, fill in the start date and end date of the last period for which you paid the tenant interest on the rent deposit.

If you are not holding a rent deposit from the tenant, mark "N/A" in Section C.

Section D: Information about the Mediated Settlement or Order

Amounts Owning in the Mediated Settlement or Order

Fill in the date that the mediated settlement was signed or the order was issued.

Then, fill in the total amount of **rent arrears** the tenant was required to pay in the mediated settlement or order. Do not include any other amounts in this total.

Next, fill in the end date for the final rental period for which the tenant owes arrears. For example, if the rent arrears owing in the mediated settlement was for the period from January 1, 2018 to February 28, 2018, then the date you would put on the form is February 28, 2018.

Fill in the amount, if any, that the tenant was required to pay in the mediated settlement or order for compensation for damages.

Finally, fill in the amount the tenant was required to pay in the mediated settlement or order for NSF charges and/or for the fee for the previous application.

Payments Received

You must complete this chart on the form to show each payment that the tenant made since the date of the mediated settlement or order.

For each payment, you must complete the date the payment was made, the amount of the payment, and indicate whether the payment was for rent arrears, rent, an NSF cheque or administration charge, the previous application fee, damages or other.

If the tenant has not made any payments in accordance with the mediated settlement, mark "N/A" in the table.

Example:

As per the terms of the order, Laura was required to pay the following amounts to her landlord, Tom: \$200 for rent arrears on January 25, 2018, \$20 for the NSF charges on January 25, 2018, \$750 for rent on February 1, 2018, and \$200 for rent arrears on February 10, 2018.

Laura made the following payments: on January 25, 2018 she paid \$200 for rent arrears and \$20 for the NSF charges. On February 1, 2018, she paid only \$550 for February's rent. On February 5, 2018, Tom filed an application with the LTB.

How to file your application

You can file your application one of the following ways:

1. In Person at the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

2. By Mail

Mail your L4 application to the nearest LTB office.

To find a list of [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

3. By Fax

You can fax your application to the nearest LTB office.

To find a list of LTB [office fax numbers](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

What to do if you have any questions

You can visit the LTB website at: [sjto.ca/ltb](#)

You can call the LTB at 416-645-8080 from within the Toronto calling area, or toll-free at 1-888-332-3234 from outside Toronto, and speak to one of our Customer Service Officers.

Customer Service Officers are available Monday to Friday, except holidays, from 8:30 a.m. to 5:00 p.m. They can provide you with **information** about the *Residential Tenancies Act* and the LTB's processes; they cannot provide you with legal advice. You can also access our automated information menu at the same numbers listed above 24 hours a day, 7 days a week.