



Instructions on Discontinuing L1 Applications

When is an application discontinued?

If a landlord has filed an L1 application for an order to terminate the tenancy and evict a tenant because of rent arrears, the tenant may discontinue the application by paying:

- All rent arrears and all new rent that was owing on the date the tenant made their payment; and
- The amount the Landlord paid for filing the application at the LTB.

Example: the rent is \$1,000.00 per month for a monthly tenancy and the tenant pays the rent on the 1st day of each month. The tenant has not paid any rent for the months of January to March. On March 18 the landlord files an L1 application at the LTB, 15 days after giving the tenant a Notice to End your Tenancy for Non-payment of Rent (Form N4). The landlord paid \$186.00 to file the L1 application. On April 10, the tenant pays the landlord \$4,186.00. The tenant has discontinued the L1 application for the period ending on April 30.

If an L1 application has been discontinued it means the tenant cannot be evicted based on that application, even if the tenant does not pay rent that becomes owing later.

If an L1 application has been discontinued, the Landlord may file a *Request for Ex Parte Discontinuance Order* form. If the Landlord completes the form correctly, the LTB will usually issue a discontinuance order without the parties having to attend a hearing. The LTB will send the order to all the parties.

The Landlord must complete the fillable fields both in the Request and Order portions of the form.

The landlord must **not** complete the “Date Issued” and “Member, Landlord and Tenant Board” lines. These will be completed by an LTB Member if a discontinuance order is issued.

Example 1: In a **monthly tenancy** each rental period starts on the first day of the month (e.g., January 1st) and ends on the last day of that same month (e.g., January 31st). If the tenant pays the amount required to discontinue the application before the end of the month (e.g., Jan 10th), the discontinuance date is the last day of the month (e.g., January 31st) This is the date the landlord would use in the *Request for Ex Parte Discontinuance Order* form.

Example 2: In a **mid-month tenancy** each rental period starts on a day other than the first day of the month (e.g., February 15th) and ends on the date that is one day before the same date in the following month (e.g., March 14th). If the tenant pays the amount required to discontinue the application before the end of the mid-month rental period (e.g., March 7th), the landlord will set out March 14th in the *Ex Parte Discontinuance Order* form as the discontinuance date.



REQUEST FOR A DISCONTINUANCE ORDER WITHOUT A HEARING

For help completing this form please see “Instructions on Withdrawing Applications and Discontinuing L1 Applications”

* See the instructions for help on how to select the correct date of discontinuance.

* Do not complete the “Date Issued” or the name of the Member. This will be done by an LTB Member if a discontinuance order is issued.

1. I _____, am the Landlord (or its legal representative) and filed L1 application, _____, for an order to terminate the tenancy and evict the Tenant(s) because of rent arrears.
2. After the L1 was filed, the Tenant(s) paid all rent arrears and all new rent that was owing for the period ending on _____. The Tenant(s) also paid the Landlord for the filing fee for this application.
3. I solemnly declare that the information I have provided is true and understand that it is an offence to provide false or misleading documents to the Board. I request that the Landlord and Tenant Board issue a discontinuance order

I am the: Landlord Landlord Representative

Declarant name: _____

Declarant signature: _____ Date (dd/mm/yyyy) _____

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

**Order under Section 74(2)
Residential Tenancies Act, 2006**

File No.:

In the matter of: _____ Rental Unit Address

Between: _____ Landlord

And

_____ Tenant(s)

The Landlord applied for an order to terminate the tenancy and evict the Tenant(s) because the Tenant(s) did not pay the rent that the Tenant(s) owes.

1. Based on the Landlord’s submissions, I find that the Tenant(s) paid the Landlord all rent arrears and all new rent that was owing for the period ending on _____. The Tenant(s) also paid the Landlord for the filing fee
2. The Landlord’s application is discontinued. As a result, no hearing will be held, and file will be closed.

Member, Signature

Member, Landlord and Tenant Board

Date Issued