

Your Tenant Pays Every Month. Just Never on Time.

3+
LATE PAYMENTS =
PATTERN

 Persistent late rent payment, a pattern over multiple months. This is different from the N4, which is for rent that's currently unpaid.

COMMON REASONS N8S ARE CHALLENGED

- ✗ Served after only one or two late payments, without an established pattern
- ✗ Vague descriptions like “always late” instead of specific dates
- ✗ The 60-day notice period for month-to-month tenancies calculated incorrectly
- ✗ Confusion between the N8 (a pattern of late payment) and the N4 (rent currently unpaid)

WHAT THE NOTICE LEGALLY REQUIRES

- ✓ The RTA requires a demonstrated pattern of late payment, not a single instance
- ✓ Each instance of late payment must be identified by a specific date
- ✓ The notice period is 60 days for a month-to-month tenancy, or the end of the term for a fixed-term lease
- ✓ The N8 and N4 apply to different circumstances and are not interchangeable under the Act

THE GENERAL TIMELINE

- 1 An L2 application may be filed with the LTB once the notice has been served
- 2 L2 applications are generally filed together with the notice, Certificate of Service, and payment records
- 3 The Board reviews the documented pattern of late payments at the hearing
- 4 Hearing wait times are currently running 4 to 6 months

 **GOOD TO KNOW:** The N8 relies on a documented pattern of late payment, and the Board's review at the hearing focuses on that pattern as recorded.

\$

\$186

L2 FILING FEE

**4–6 Mo.**

TYPICAL HEARING WAIT

**60 Days**

NOTICE, MONTH-TO-MONTH

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