



**Order under Section 77(8)
Residential Tenancies Act, 2006**

File Number: LTB-L-089005-25-SA

In the matter of: 457 Bolivar St
Peterborough ON K9J4R3

Between: David De Michele
Bridgid Young
Landlords

And

Dustin Bain
Emily Toms
Tenants

David De Michele and Bridgid Young (the 'Landlords') applied for an order to terminate the tenancy and evict Dustin Bain and Emily Toms (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

The Landlords' application was resolved by order LTB-L-089005-25, issued on November 10, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-089005-25.

The motion was heard by videoconference on December 16, 2025.

Only the Landlords attended the hearing.

As of 9:38 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

Determinations:

1. The Landlords and Tenants entered into an agreement to terminate the tenancy as of November 1, 2025.
2. Since the Tenants did not appear at the hearing to support their motion, I find that this motion has been abandoned.

It is ordered that:

1. The motion to set aside Order LTB-L-089005-25, issued on November 10, 2025, is denied.
2. The stay of Order LTB-L-089005-25, is lifted immediately.

January 7, 2026

Date Issued

Jeremy Henderson

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.