



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-097595-25-SA

In the matter of: A, 92 CLOUGH CRES
GUELPH ON N1L0E4

Between: Nina Savich Landlord

And

Gillian Bennett Tenants
Ovidiu Birnaure

Nina Savich (the 'Landlord') applied for an order to terminate the tenancy and evict Gillian Bennett and Ovidiu Birnaure (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on July 31, 2025 with respect to application LTB-L-051949-24.

The Landlord's application was resolved by order LTB-L-097595-25, issued on November 25, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-097595-25.

This motion was heard by videoconference on January 8, 2026.

The Landlord, the Landlord's legal representative, Angelique Abadeen, the Tenants and the Tenants' legal representative, Brittany Rose-Ward, attended the hearing.

Determinations:

1. The parties before the Board agree that the Tenants have moved out of the rental unit and the tenancy has been terminated.
2. As the tenancy has been terminated, the Tenants' motion must be denied and the stay of the eviction order should be lifted immediately.

It is ordered that:

1. The motion to set aside Order LTB-L-097595-25, issued on November 25, 2025, is denied.
2. The stay of order LTB-L-097595-25 is lifted immediately.

3. Order LTB-L-097595-25 is unchanged.

January 16, 2026
Date Issued

Laura Hartslief
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.