



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

File Number: LTB-L-056571-25-SA2

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

Between: Nina Savich Landlord

And

Gillian Bennett Tenant
Ovidiu Birnaure

Nina Savich (the 'Landlord') applied for an order to terminate the tenancy and evict Gillian Bennett and Ovidiu Birnaure (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 21, 2025 with respect to application LTB-L-051949-24.

The Landlord's application was resolved by order LTB-L-056571-25, issued on July 18, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-056571-25. The motion was initially resolved by order LTB-L-056571-25-SA, issued on September 10, 2025. That order was overturned on review. A new hearing commenced before me on December 11, 2025, and was adjourned to be completed on January 26, 2026.

On January 19, 2026, the Tenants filed a request to withdraw their motion.

Reasons:

1. Order LTB-L-056571-25 terminated the tenancy and ordered the Tenants to vacate the unit. The Tenants moved to set that order aside.
2. The Tenants have now filed a request to withdraw their motion. In their request, they state that they moved out of the unit on January 1, 2026.
3. Since the only effect of LTB-L-056571-25 was to terminate the tenancy and require the Tenants to vacate, and they have now vacated, I consent to their request to withdraw their motion.

It is ordered that:

1. The motion to set aside Order LTB-L-056571-25, issued on July 18, 2025, is withdrawn.
2. The hearing of the motion scheduled for January 26, 2026 is cancelled.
3. The stay of order LTB-L-056571-25 is lifted immediately.

January 21, 2026

Date Issued

Dale Whitmore

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.