



**Order under Section 77
Residential Tenancies Act, 2006**

File Number: LTB-L-014383-26

In the matter of: Unit 1, 108 Scott St
St Catharines ON L2N1G9

Between: Alexander Bitterman Landlords
Kristin Annette Thistle
Annette Marguerite Perri
Renato Perri

And

Frederick Brown Tenants
Hayli Carpenter

Alexander Bitterman, Kristin Annette Thistle, Annette Marguerite Perri, and Renato Perri (the 'Landlords') applied for an order to terminate the tenancy and evict Frederick Brown and Hayli Carpenter (the 'Tenants') because the Tenants gave notice to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

1. The Tenants gave the Landlords notice to terminate the tenancy effective February 28, 2026.
2. While the notice may have been defective as it was given on less than 60 days notice, contrary to section 44 of the *Residential Tenancies Act, 2006*, I find that the notice was an offer to terminate the tenancy by the Tenants. Furthermore, the Landlords have by submitting this application within a reasonable timeframe following receipt of the notice, affirmed by conduct that the Landlords accepted the Tenants' notice. The Landlords and the Tenants have therefore agreed to end the tenancy on February 28, 2026, converting the potentially defective notice to an agreement to terminate and therefore rendering moot any defect or defects in the notice.
3. Since the application was filed on a no-fault basis, before the termination date, it is not appropriate to require the Tenants to pay the application filing fee as costs.

It is ordered that:

1. The tenancy between the Landlords and Tenants is terminated. The Tenants must move out of the rental unit on or before March 6, 2026.
2. If the unit is not vacated on or before March 6, 2026, then starting March 7, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after March 7, 2026.

February 23, 2026
Date Issued

Trish Carson
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.

The Tenants have until March 5, 2026, to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the Tenants file the motion by March 5, 2026, the order will be stayed and the LTB will schedule a hearing.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on September 7, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.