



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

**File Number:** LTB-L-013944-26

**In the matter of:** 32 SILVAN DR  
WELLAND ON L3C6C3

**Between:** Niagara Regional Housing Landlord

**And**

Oluwatosin Olusesi Tenant

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Oluwatosin Olusesi (the 'Tenant') because the Tenant gave notice to terminate the tenancy.

This application was considered without a hearing being held.

### **Determinations:**

1. The Tenant gave the Landlord notice to terminate the tenancy effective January 29, 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 Tenant. Furthermore, the Landlord has by submitting this application within a reasonable timeframe following receipt of the notice, affirmed by conduct that the Landlord accepted the Tenants' notice. The Landlord and the Tenant have therefore agreed to end the tenancy on January 29, 2026, converting the potentially defective notice to an agreement to terminate and therefore rendering moot any defect or defects in the notice.

### **It is ordered that:**

1. The tenancy between the Landlord and Tenant is terminated. The Tenant 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 Landlord 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 Landlord 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 tenant has 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 tenant files 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.