



Order under Section 77 Residential Tenancies Act, 2006

File Number: LTB-L-006884-26

In the matter of: BASEMENT, 6 EARLTON RD
SCARBOROUGH ON M1T2R3

Between: GINALYN GUIANG

Landlord

And

SALEH HUSSEIN

Tenant

GINALYN GUIANG (the 'Landlord') applied for an order to terminate the tenancy and evict SALEH HUSSEIN (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was heard by videoconference on February 12, 2026. The Landlord, the Landlord's Legal Representative, R. Bassar, and the Tenant attended the hearing. An interpreter for the Tenant, M. Algaafari, also attended the hearing.

Determinations:

1. The Landlord alleged that the parties entered into an agreement to terminate the tenancy on February 28, 2026. The Tenant denied this assertion.
2. In support of the claim, the Landlord provided a text message in which the Tenant states on January 21, 2026:

'... I will do my best and I will try to oleave (sic) the house at the end of February 2026...'

3. This application was brought pursuant to section 77 (1) (a) (b) of the *Residential Tenancies Act, 2006* which states that a landlord may, without notice to the tenant, apply to the Board for an order terminating a tenancy and evicting the tenant if the landlord and tenant have entered into an agreement to terminate the tenancy; or the tenant has given the landlord notice of termination of the tenancy.
4. In addition, section 37 (3) of the Act provides that a notice of termination need not be given if a landlord and a tenant have agreed to terminate a tenancy.

5. In this case, the Tenant's text message reveals that he was uncertain about vacating the unit. The Tenant also did not provide the specific date on when he intended to do so.
6. Based on the foregoing, I am not satisfied that the parties entered into a valid agreement to terminate the tenancy.

It is ordered that:

1. The Landlord's application is dismissed.

February 24, 2026
Date Issued

Jitewa Edu
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.