



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

File Number: LTB-L-043536-26

In the matter of: 402, 3410 PETER ST
WINDSOR ON N9C1J3

Between: Skyline Real Estate Holdings Inc., C/O Landlord
Skyline Living

And

Animesh Sarker
Abinash Sarker
Mira Sarker

Tenants

Skyline Real Estate Holdings Inc., C/O Skyline Living (the 'Landlord') applied for an order to terminate the tenancy and evict Animesh Sarker, Abinash Sarker and Mira Sarker (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 Landlord notice to terminate the tenancy effective June 30, 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 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 Tenants have therefore agreed to end the tenancy on June 30, 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 Landlord and Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2026.

2. If the unit is not vacated on or before June 30, 2026, then starting July 1, 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 July 1, 2026.

May 26, 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 June 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 June 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 January 1, 2027, 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.