



## Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

**Citation:** Vine Global Realty v White, 2023 ONLTB 15066

**Date:** 2023-01-11

**File Number:** LTB-L-004865-22-RV

**In the matter of:** 482 VERNON AVE  
OTTAWA ON K1K1A6

**Between:** Vine Global Realty Landlord

**And**

Jeff White and Wendy White Tenants

### Review Order

Vine Global Realty (the 'Landlord') applied for an order to terminate the tenancy and evict Jeff White and Wendy White (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-004865-22 issued on September 21, 2022.

On October 20, 2022, the Tenant, Wendy White, requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 6, 2022, interim order LTB-L-004865-22-RV-IN was issued, staying the portion of the order issued on September 21, 2022 relating to the payment of money.

This request was heard by videoconference on January 4, 2023.

The Landlord's agent, Magdy Abdelmesih, the Tenant's legal representative, Suzanne Verge, and the Tenant, Wendy White, attended the hearing.

### Determinations:

1. I accept the Landlord's submission that the N11 agreement to terminate the tenancy was not properly executed and that it does not constitute an agreement to terminate the tenancy.
2. Having said that, I am satisfied that Wendy White's email communication to the Landlord on December 24, 2021 (wherein she states that she wishes to give notice to terminate her tenancy and that Jeff White will continue on as the sole Tenant) and the Landlord's responding email communication to Wendy White on January 3, 2022 (wherein he accepts her notice) do constitute an agreement to terminate Wendy White's interest in the tenancy.

3. As a result, I find that order LTB-L-004865-22 issued on September 21, 2022 contains a serious error by identifying Wendy White as a party.

**It is ordered that:**

1. The request to review order LTB-L-004865-22 issued on September 21, 2022 is granted.
2. The interim order issued on December 6, 2022 is cancelled. The stay of order LTB-L-004865-22 is lifted immediately.
3. Order LTB-L-004865-22 issued on September 21, 2022 is amended to remove Wendy White as a party. For greater clarity, the portion of order LTB-L-004865-22 issued on September 21, 2022 requiring the Tenants to pay the Landlord is stayed with respect to Wendy White and is not enforceable against her. Order LTB-L-004865-22 issued on September 21, 2022 is not stayed with respect to Jeff White and may be enforced against him.

**January 11, 2023**  
**Date Issued**

---

Richard Ferriss  
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.