



Order under Section 77 Residential Tenancies Act, 2006

Citation: Thompson v McMillan, 2023 ONLTB 23259

Date: 2023-03-06

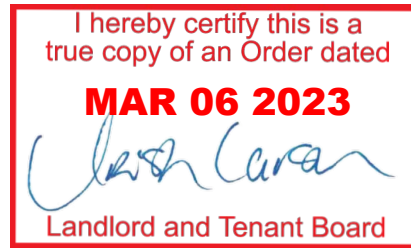
File Number: LTB-L-016782-23

In the matter of: 90C McDougall Road
Waterloo Ontario N2L2W4

Between: Bob Thompson
George Thompson

And

Catherine McMillan
Morgan McMillan



Landlords

Tenants

Bob Thompson and George Thompson (the 'Landlords') applied for an order to terminate the tenancy and evict Catherine McMillan and Morgan McMillan (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

1. The Landlords and Tenants entered into an agreement to terminate the tenancy as of January 31, 2023 and the Tenants did not move out of the rental unit by the termination date set out in the agreement.
2. Since the Tenants did not move out of the rental unit by the termination date, the Landlords was required to file the application to obtain vacant possession. Therefore, the Tenants are responsible for paying the Landlords for the \$201.00 application filing fee incurred.

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 17, 2023.
2. If the unit is not vacated on or before March 17, 2023, then starting March 18, 2023, 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 18, 2023.



4. The Tenants shall pay to the Landlords \$201.00, for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing on or before March 17, 2023, the Tenants will start to owe interest. This will be simple interest calculated from March 18, 2023 at 5.00% annually on the balance outstanding.

March 6, 2023
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 has until March 16, 2023 to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the Tenants files the motion by March 16, 2023 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 18, 2023 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.