



Order under Section 69 Residential Tenancies Act, 2006

Citation: Vyas v Fernandez, 2023 ONLTB 80919

Date: 2023-12-15

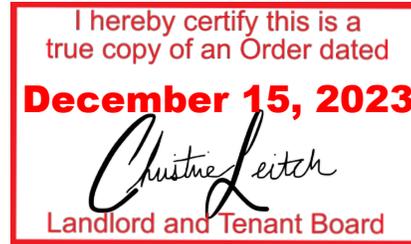
File Number: LTB-L-055940-23

In the matter of: FIRST FLOOR AND BASEMENT, 7331 SIGSBEE DR
MISSISSAUGA ON L4T3S5

Between: Seema Vyas and Tejas Vyas

And

Diana Elizabeth Fernandez



Landlords

Tenant

Seema Vyas and Tejas Vyas (the 'Landlords') applied for an order to terminate the tenancy and evict Diana Elizabeth Fernandez (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

On December 6, 2023, the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Christine Leitch. The Landlord's Legal Representative, Ramadevi Gavisetty and the Tenant, Diana Elizabeth Fernandez, assisted by Tenant Duty Counsel, Rebecca Ward, participated in the mediation.

As a result of the mediation the parties requested a consent order and I am satisfied that the parties understand the consequences of their consent.

The parties agree to the following:

1. A final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy February 29, 2024. The application is amended to include an L3 application for termination of the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under subsections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.
2. The Landlords waive all arrears of rent, the application filing fee, and the monthly rent for January 2024 and February 2024.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated and the Tenant must move out of the rental unit on or before February 29, 2024.
2. If the unit is not vacated on or before February 29, 2024, then starting March 1, 2024, 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 February 29, 2024.

December 15, 2023
Date Issued



Christine Leitch
Hearings Officer, 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.

In accordance with section 81 of the Act, the of this order relating to the eviction expires on August 29, 2024, 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.