



Dec. 22, 2023

Landlord and Tenant Board

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

Citation: Henry v Powell, 2023 ONLTB 81666

Date: 2023-12-22

File Number: LTB-L-084499-23

In the matter of: 7171 Yonge Street
Markham ON L3T0C5

Between: Royon Henry Landlord

And

Natasha Janice Powell Tenant

Royon Henry (the 'Landlord') applied for an order to terminate the tenancy and evict Natasha Janice Powell (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

A hearing was held to consider this application.

This application was heard by videoconference on December 11, 2023. Only the Landlord attended the hearing.

As of 4:15pm, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord and Tenant entered into an agreement to terminate the tenancy as of December 1, 2023.
2. The lawful monthly rent is \$2,100.00. The Tenant has stopped paying rent and as of December 1, 2023 owes the Landlord \$5,250.00 to the end of December.
3. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Residential Tenancies Act, 2006 (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and Tenant is terminated. The Tenant must move out of the rental unit on or before January 2, 2024.

2. If the unit is not vacated on or before January 2, 2024, then starting January 3, 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 January 3, 2024.

December 22, 2023



Date Issued

Greg Joy
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 3, 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.

