

Shukla v Whalen, 2021 CanLII 102954 (ON LTB)

Date: 2021-07-22  
File number: CEL-01466-21  
Citation: Shukla v Whalen, 2021 CanLII 102954 (ON LTB),  
<<https://canlii.ca/t/jjsps>>, retrieved on 2024-01-11



**Tribunals Ontario**  
Landlord and Tenant Board

Order under Section 77

**Residential Tenancies Act, 2006**

**File Number:** CEL-01466-21  
**In the matter of:** ROOM 3 & 5, 3972 ON-21  
PORT ELGIN ON N0H2C5

**Between:** Ajay Shukla Landlord

**and**

Arianna Whalen Cole Whalen Jennifer Whalen Jesse Whalen

Tenants

On July 12, 2021, Ajay Shukla (the 'Landlord') applied for an order to terminate the tenancy and evict Arianna Whalen, Cole Whalen, Jennifer Whalen and Jesse Whalen (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

**Determinations:**

1. The Landlord and the Tenants signed an agreement to terminate the tenancy as of July 11, 2021 and the Tenants did not move out of the rental unit by the termination date set out in the agreement.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before August 2, 2021.
2. The Tenants shall pay to the Landlord \$201.00 for the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before August 2, 2021, they will start to owe interest. This will be simple interest calculated from August 3, 2021, at 2.00% annually on the balance outstanding.
4. If the unit is not vacated on or before August 2, 2021, then starting August 3, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 August 3, 2021.

  
Tami Cogan

July 22, 2021

**Date Issued**

Member, Landlord and Tenant Board

**File Number:** CEL-01466-21

Central-RO  
3 Robert Speck Pkwy, 5th Floor Mississauga ON  
L4Z2G5

The tenant has until August 1, 2021 to file a motion with the Board to set aside the order under s. 77(6) of the Act. If the tenant files the motion by August 1, 2021 the order will be stayed and the Board will schedule a hearing.

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 February 3, 2022 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.