



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

**File Number:** CEL-99270-21

**In the matter of:** UNIT A, 150 DAPHNE CRESCENT  
BARRIE ON L4M2Z1

**Between:** Tu Doan Landlord

**and**

Arshdeep Singh Tenants  
Kunwar Singh  
Maninderjit Singh  
Yogesh Ralh

Tu Doan (the 'Landlord') applied for an order to terminate the tenancy and evict Yogesh Ralh (YR), Arshdeep Singh (AS), Kunwar Singh (KS) and Maninderjit Singh (MS) (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

This application was heard by teleconference on May 3, 2021.

Only the Landlord and the Landlord's legal representative L. Dubois attended the hearing.

**Determinations:**

1. The Landlord and one of the Tenants (KS) signed an agreement to terminate the tenancy as of February 28, 2021. This matter was sent to a hearing because none of the other three Tenants signed the agreement.
2. As of the date of the hearing, only MS is living in the rental unit. The other Tenants have vacated.
3. MS has agreed to leave the rental unit on or before May 31, 2021.
4. The Landlord's legal representative requested an amendment to the application so that the application would be based on MS's agreement. I granted the Landlord's unopposed request.
5. 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. MS has agreed to vacate the

unit. MS did not attend the hearing to give any evidence or submissions as to why the tenancy should not be terminated on May 31, 2021.

**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 May 28, 2021.
2. If the unit is not vacated on or before May 28, 2021, then starting May 29, 2021, 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 May 29, 2021.
4. This order terminates the tenancy and permits the Landlord to file the order with Court Enforcement Office (Sheriff) to evict the Tenant. However, as of the date this matter was heard, the Sheriff cannot enforce this order as a result of Ontario Regulation 266/21 made under the *Emergency Management and Civil Protection Act* on April 8, 2021. The Tenant cannot be evicted from the rental unit while this regulation is in force. Eviction by the Sheriff may occur after the regulation is removed by the Ontario Government.

**May 17, 2021**  
**Date Issued**

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Renée Lang  
Member, Landlord and Tenant Board

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

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 November 29, 2021 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.