



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

**Citation:** Lam v Gill, 2023 ONLTB 27305

**Date:** 2023-03-29

**File Number:** LTB-L-018326-23

**In the matter of:** 40, 73 ARMDALE RD  
MISSISSAUGA ON L4Z0C7

**Between:** Chuan Kiet Lam Landlords  
Linh Trinh Phan

**And**

Lov Deep Gill Tenants  
Yali Zhang

On March 4, 2023, Chuan Kiet Lam and Linh Trinh Phan (the 'Landlords') applied for an order to terminate the tenancy and evict Lov Deep Gill and Yali Zhang (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 February 28, 2023.
2. Since the Tenants did not move out of the rental unit by the termination date, the Landlords were required to file the application to obtain vacant possession. Therefore, the Tenants are responsible for paying the Landlords for the \$186.00 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 April 9, 2023.
2. If the unit is not vacated on or before April 9, 2023, then starting April 10, 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 April 10, 2023.
4. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before April 9, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 10, 2023 at 5.00% annually on the balance outstanding.

**March 29, 2023**

**Date Issued**

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Ian Speers

Associate Chair, 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 tenant has until April 8, 2023 to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the tenant files the motion by April 8, 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 October 10, 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.