



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

Citation: MISTRY v GONCALVES, 2023 ONLTB 18126

Date: 2023-02-02

File Number: LTB-L-007206-23

In the matter of: 1317 RESTIVO LANE MILTON
ON L9T2X5

Between: ANANTKUMAR MAGANLAL MISTRY Landlords
GEETA MISTRY

And

DIANE GONCALVES Tenant

Anantkumar Maganlal Mistry and Geeta Mistry (the 'Landlords') applied for an order to terminate the tenancy and evict Diane Goncalves (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

1. The Landlords and Tenant entered into an agreement to terminate the tenancy as of February 27, 2023.
2. Since the application was filed on a no-fault basis, before the termination date, it is not appropriate to require the Tenant to pay the application filing fee as costs.

It is ordered that:

1. The tenancy between the Landlords and Tenant is terminated. The Tenant must move out of the rental unit on or before February 27, 2023.
2. If the unit is not vacated on or before February 27, 2023, then starting February 28, 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 February 28, 2023.

Order Page 1 of 2



Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

February 2, 2023

Date Issued

Trish Carson

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.

The tenant has until February 12, 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 February 12, 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 August 28, 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.

