



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

**File Number:** TEL-19393-21

**In the matter of:** MAIN FLOOR, 1028 CENTRE STREET NORTH  
WHITBY ON L1N4V3

**Between:** Preethi James Landlord

**and**

Benjamin Nicholas King Foster Tenants  
Marva Patricia King Foster

Preethi James (the 'Landlord') applied for an order to terminate the tenancy and evict Benjamin Nicholas King Foster and Marva Patricia King Foster (the 'Tenants') because the Tenants gave a notice to terminate the tenancy.

**Determinations:**

1. The Landlord filed this application more than 30 days after the termination date specified in the Notice of Termination (the 'Notice') given by the Tenants.
2. The Board's records indicate that this application was received on July 15, 2021 and the Termination date specified in the Notice is May 31, 2021.
3. As legislated by s.77(3) of the *Residential Tenancies Act, 2006* (the 'Act'), this application shall not be made later than 30 days after the termination date specified in the Notice.
4. As the 30-day timeline for filing this type of application cannot be extended under the Act, this application shall be dismissed without a hearing.

**It is ordered that:**

1. The Landlord's application is dismissed.

**September 24, 2021**  
**Date Issued**

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

*Michael Di Salle*

Michael Di Salle  
Member, Landlord and Tenant Board

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Order Page 1 of 1