



Order under Section 77
Residential Tenancies Act, 2006

File Number: TEL-17856-21

In the matter of: 1A, 583 RIVER ROAD S
PETERBOROUGH ON K9J1E6

Between: Adrienne Sharp Landlords
Ryan Sharp

and

Amy Ferguson Tenant

Adrienne Sharp (AS) and Ryan Sharp (RS) (the 'Landlords') applied for an order to terminate the tenancy and evict Amy Ferguson (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was heard by teleconference on September 23, 2021.

Only the Landlords' legal representative C. Francey and the Landlord RS attended the hearing.

Determinations:

1. The Landlord AS and the Tenant signed an agreement to terminate the tenancy as of June 30, 2021 and the Tenant did not move out of the rental unit by the termination date set out in the agreement.
2. The Landlord RS did not sign the agreement. At the hearing RS testified that he and AS did not know that they both had to sign the agreement. RS testified that he shared and shares AS's intention to end the tenancy on June 30, 2021. RS testified that he was present when AS signed the agreement.
3. RS testified that the Tenant is still in the rental unit.
4. Based on the signed N11 agreement, as supplemented by RS's testimony, I find, on a balance of probabilities, that the parties agreed to terminate the tenancy with a termination date of June 30, 2021 and that the Tenant is still in possession of the rental unit.
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.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before November 21, 2021.
2. If the unit is not vacated on or before November 21, 2021, then starting November 22, 2021, 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 November 22, 2021.



November 10, 2021
Date Issued

Renée Lang
Member, Landlord and Tenant Board

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

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 May 22, 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.