



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

**Citation:** VAN BERLO v HOEBURG, 2023 ONLTB 15259

**Date:** 2023-01-18

**File Number:** LTB-L-075515-22

**In the matter of:** Apt B, 261 Balsam St South  
Timmins ON P4N2E5

**Between:** MONICA VAN BERLO Landlord

**And**

KEITH HOEBURG Tenant

MONICA VAN BERLO (the 'Landlord') applied for an order to terminate the tenancy and evict KEITH HOEBURG (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

The application was heard on January 11, 2023. Only the Landlord's representative Alexander Brooks attended the hearing.

Prior to the hearing the parties entered into an agreement to resolve the application. The terms were submitted to the Board and the Landlord's representative confirmed the terms at the hearing. This order reflects the terms of the agreement.

### **It is ordered that:**

1. The tenancy between the Landlord and Tenant is terminated. The Tenant must move out of the rental unit on or before January 31, 2023.
2. If the unit is not vacated on or before January 31, 2023, then starting February 1, 2023, 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 February 1, 2023.
4. If the Tenant vacates the rental unit on or before January 31, 2023, the Landlord shall pay to the Tenant \$1,800.00.
5. If the Landlord does not pay the Tenant the full amount owing on or before January 31, 2023, the Landlord will start to owe interest. This will be simple interest calculated from February 1, 2023 at 5.00% annually on the balance outstanding.



**January 18, 2023**

**Date Issued**

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**Greg Joy**

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 1, 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.