



Order under Section 77 Residential Tenancies Act, 2006

Citation: Stevenson v O'Byrne, 2024 ONLTB 4758

Date: 2024-01-16

File Number: LTB-L-001868-24

In the matter of: 85A SPRUCE AVE
ELLIOT LAKE ON P5A2C1

Between: Joshua Andrew Stevenson

And

Rachel O'Byrne

I hereby certify this is a
true copy of an Order dated

Jan 16, 2024

Landlord and Tenant Board

Landlord

Tenant

Joshua Andrew Stevenson (the 'Landlord') applied for an order to terminate the tenancy and evict Rachel O'Byrne (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

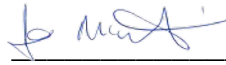
1. The Landlord and Tenant entered into an agreement to terminate the tenancy as of January 1, 2024, and the Tenant did not move out of the rental unit by the termination date set out in the agreement.
2. Since the Tenant did not move out of the rental unit by the termination date, the Landlord was required to file the application to obtain vacant possession. Therefore, the Tenant is responsible for paying the Landlord for the \$186.00 application filing fee incurred.

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 27, 2024.
2. If the unit is not vacated on or before January 27, 2024, then starting January 28, 2024, 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 January 28, 2024.
4. The Tenant shall pay to the Landlord \$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 January 27, 2024, the Tenant will start to owe interest. This will be simple interest calculated from January 28, 2024, at 7.00% annually on the balance outstanding.

January 16, 2024
Date Issued



James McMaster
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 January 26, 2024 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 January 26, 2024 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 July 28, 2024 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.