



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

**Citation:** KHAN v MCRAE, 2023 ONLTB 14705

**Date:** 2023-01-13

**File Number:** LTB-L-077372-22

**In the matter of:** 509 THIRD ST W  
Cornwall ON K6J2R3

**Between:** IMRAN KHAN Landlord

**And**

JEFFREY MCRAE Tenants  
NIKITA WATTIE

On December 6, 2022, IMRAN KHAN (the 'Landlord') applied for an order to terminate the tenancy and evict JEFFREY MCRAE and NIKITA WATTIE (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

**Determinations:**

1. The Landlord and Tenants entered into an agreement to terminate the tenancy as of January 31, 2023.
2. Since the application was filed on a no-fault basis, before the termination date, it is not appropriate to require the Tenants to pay the application filing fee as costs.

**It is ordered that:**

1. The tenancy between the Landlord and Tenants is terminated. The Tenants 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.

**January 13, 2023**

**Date Issued**

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**Ian Speers**

Associate Chair, Landlord and Tenant Board

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**Tribunals Ontario**  
Landlord and Tenant Board

**Tribunaux décisionnels Ontario**  
Commission de la location immobilière

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 tenants have until January 23, 2023 to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the tenants file the motion by January 23, 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 July 25, 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.

