



Order under Section 77 Residential Tenancies Act, 2006

Citation: David Wilks v Patrizia Del zotto, 2023 ONLTB 39275

Date: 2023-05-29

File Number: LTB-L-037889-23

2023 ONLTB 39275 (CanLII)

In the matter of: 407 THE WESTWAY
ETOBICOKE ON M9R0B4

Between: David Wilks Landlord

And

Julian Del Zotto Tenants Patrizia Del Zotto

On May 10, 2023, David Wilks (the 'Landlord') applied for an order to terminate the tenancy and evict Julian Del Zotto and Patrizia Del Zotto (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 June 30, 2023.
2. Since the application was filed on a no-fault basis, on or before the termination date, it is not appropriate to require the Tenant 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 June 30, 2023.
2. If the unit is not vacated on or before June 30, 2023, then starting July 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 July 1, 2023.

May 29, 2023

Date Issued

Ian Speers

Associate Chair, Landlord and Tenant Board

Order Page 1 of 2

File Number: LTB-L-037889-23

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 has until June 8, 2023 to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the Tenants files the motion by June 8, 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 January 1, 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.

