



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

Citation: 7-11 Rocheford Drive Ltd v Barclay, 2023 ONLTB 40304

Date: 2023-05-25

File Number: LTB-L-035276-23

In the matter of: 333, 11 ROCHEFORT DR
NORTH YORK ON M3C1H5

Between: 7-11 Rocheford Drive Ltd (c/o Briarlane Rental Property Management Inc) Landlord

And

Kimesha Barclay Tenants
Natasha Brown
Winsome Case

7-11 Rocheford Drive Ltd (c/o Briarlane Rental Property Management Inc) (the 'Landlord') applied for an order to terminate the tenancy and evict Kimesha Barclay, Natasha Brown and Winsome Case (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 May 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 filling 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 5, 2023.
2. If the unit is not vacated on or before June 5, 2023, then starting June 6, 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 June 6, 2023.

May 25, 2023

Date Issued

Trish Carson

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 Tenants have until June 4, 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 June 4, 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 December 6, 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.