



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

Citation: JHW Properties Inc. v Welsh, 2023 ONLTB 38194

Date: 2023-05-17

File Number: LTB-L-036597-23

In the matter of: 1, 289 CORDOVA RD
OSHAWA ON L1J1P1

Between: JHW Properties Inc. Landlord

And

Lindsey Welsh Tenants
Ryan Avery

JHW Properties Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Lindsey Welsh and Ryan Avery (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 August 1, 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 August 1, 2023.
2. If the unit is not vacated on or before August 1, 2023, then starting August 2, 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 August 2, 2023.

File Number: LTB-L-036597-23

May 17, 2023

Date Issued

Trish Carson

Member, Landlord and Tenants 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 May 27, 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 May 27, 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 February 2, 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.

