



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

**Citation:** 1 Deauville Lane Ltd v Legate, 2023 ONLTB 38162

**Date:** 2023-05-17

**File Number:** LTB-L-036550-23

**In the matter of:** 118, 1 DEAUVILLE LANE  
NORTH YORK ON M3C1Z6

**Between:** 1 Deauville Lane Ltd Landlord

**And**

Jessica Spettoli Tenants  
John Mark Legate

1 Deauville Lane Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Jessica Spettoli and John Mark Legate (the 'Tenants') because the Tenants gave notice to terminate the tenancy.

This application was considered without a hearing being held.

**Determinations:**

1. The Tenants gave the Landlord notice to terminate the tenancy effective June 30, 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 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.

**File Number:** LTB-L-036550-23

**May 17, 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 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 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.

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