



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

Citation: Altmann v Lemay, 2023 ONLTB 38104

Date: 2023-05-17

File Number: LTB-L-034794-23

In the matter of: 1, 216 MACKAN STREET
THOROLD ON L2V1G7

Between: James Altmann Landlord

And

Drake Lemay Tenants
Jade Lemay
Jenna Lemay
Patrice Lemay
Sara Lemay

James Altmann (the 'Landlord') applied for an order to terminate the tenancy and evict Drake Lemay, Jade Lemay, Jenna Lemay, Patrice Lemay and Sara Lemay (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 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 May 28, 2023.

2. If the unit is not vacated on or before May 28, 2023, then starting May 29, 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 May 29, 2023.

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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 November 29, 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.

