



Order under Section 77 Residential Tenancies Act, 2006

Citation: Khaja v Pevie, 2023 ONLTB 37821

Date: 2023-05-16

File Number: LTB-L-035082-23

In the matter of: 35 MAGILL DR
AJAX ON L1T3H7

Between: Afeef Subhani Landlords
Aishah Khaja

And

Karen Jeffrey Tenants
Michael Lambert Pevie

Afeef Subhani and Aishah Khaja (the 'Landlords') applied for an order to terminate the tenancy and evict Karen Jeffrey and Michael Lambert Pevie (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 Landlords and Tenants entered into an agreement to terminate the tenancy as of April 30, 2023 and the Tenants did not move out of the rental unit by the termination date set out in the agreement.
2. Since the Tenants did not move out of the rental unit by the termination date, the Landlords was required to file the application to obtain vacant possession. Therefore, the Tenants are responsible for paying the Landlords for the \$186.00 application filing fee incurred.

It is ordered that:

1. The tenancy between the Landlords and Tenants is terminated. The Tenants must move out of the rental unit on or before May 27, 2023.
2. If the unit is not vacated on or before May 27, 2023, then starting May 28, 2023, the Landlords 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 Landlords on or after May 28, 2023.

4. The Tenants shall pay to the Landlords \$186.00, for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing on or before May 27, 2023, the Tenants will start to owe interest. This will be simple interest calculated from May 28, 2023 at 6.00% annually on the balance outstanding.

May 16, 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 26, 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 26, 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 28, 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.