



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

Citation: Berman v Borins, 2023 ONLTB 37317

Date: 2023-05-15

File Number: LTB-L-032811-23

In the matter of: #705, 180 DUDLEY AVE
MARKHAM ON L3T4X2

Between: Aaron Berman Landlords
Elena Berman

And

Kira Borins
Matthew Borins

Tenants

Aaron Berman and Elena Berman (the 'Landlords') applied for an order to terminate the tenancy and evict Kira Borins and Matthew Borins (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 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 Landlords 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 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 July 1, 2023.

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Toronto ON M7A 2G6

May 15, 2023

Date Issued

File Number: LTB-L-032811-23

15 Grosvenor Street, Ground Floor

Trish Carson

Member, Landlord and Tenant Board

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 25, 2023, to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the Tenants files the motion by May 25, 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.

