



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

Citation: Rush Property Management v Brennen, 2023 ONLTB 36746

Date: 2023-05-12

File Number: LTB-L-027988-23

In the matter of: 74 GALWAY CRT
SUDBURY ON P3A3W1

Between: Rush Property Management Landlords
Tammy Racine

And

Amy Brennen Tenant

Rush Property Management and Tammy Racine (the 'Landlords') applied for an order to terminate the tenancy and evict Amy Brennen (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

1. The Landlords and Tenant entered into an agreement to terminate the tenancy as of March 31, 2023, and the Tenant did not move out of the rental unit by the termination date set out in the agreement.
2. Since the Tenant 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 Tenant is responsible for paying the Landlords for the \$186.00 application filing fee incurred.

It is ordered that:

1. The tenancy between the Landlords and Tenant is terminated. The Tenant must move out of the rental unit on or before May 23, 2023.
2. If the unit is not vacated on or before May 23, 2023, then starting May 24, 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 24, 2023.
4. The Tenant shall pay to the Landlords \$186.00, for the cost of filing the application.

Order Page 1 of 2

File Number: LTB-L-027988-23

5. If the Tenant does not pay the Landlords the full amount owing on or before May 23, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 24, 2023, at 6.00% annually on the balance outstanding.

May 12, 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 tenant has until May 22, 2023, to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the tenant files the motion by May 22, 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 24, 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.

