



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

**Citation:** Zafar v Turano, 2023 ONLTB 36708

**Date:** 2023-05-12

**File Number:** LTB-L-027440-23

**In the matter of:** 3021, 9 MABELLE AVE  
ETOBICOKE ON M9A0E1

**Between:** Adeel Zafar Landlord

**And**

Vincenzo Turano Tenant

Adeel Zafar (the 'Landlord') applied for an order to terminate the tenancy and evict Vincenzo Turano (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 Landlord 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 Landlord was required to file the application to obtain vacant possession. Therefore, the Tenant is responsible for paying the Landlord for the \$186.00 application filing fee incurred.

**It is ordered that:**

1. The tenancy between the Landlord 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 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 24, 2023.
4. The Tenant shall pay to the Landlord \$186.00, for the cost of filing the application.

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5. If the Tenant does not pay the Landlord 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**

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**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.

