



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

Citation: Klemiato v Nawojski, 2023 ONLTB 36673

Date: 2023-05-10

File Number: LTB-L-027925-23

In the matter of: 808, 80 ABSOLUTE AVE
MISSISSAUGA ON L4Z0A5

Between: Agnieszka Klemiato Landlords
Grzegorz Klemiato

And

Kamil Damian Nawojski Tenant

On April 4, 2023, Agnieszka Klemiato and Grzegorz Klemiato (the 'Landlords') applied for an order to terminate the tenancy and evict Kamil Damian Nawojski (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 29, 2023.
2. Since the Landlords were 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 21, 2023.
2. If the unit is not vacated on or before May 21, 2023, then starting May 22, 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 22, 2023.
4. The Tenant shall pay to the Landlords \$186.00, for the cost of filing the application.

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5. If the Tenant does not pay the Landlords the full amount owing on or before May 21, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 22, 2023 at 6.00% annually on the balance outstanding.

May 10, 2023

Date Issued

Ian Speers

Associate Chair, 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 20, 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 20, 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 22, 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.

