



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

Citation: Chowdhury v Harrison, 2023 ONLTB 36655

Date: 2023-05-10

File Number: LTB-L-026645-23

In the matter of: BASEMENT, 23 BRIARBLUFF AVE
SCARBOROUGH, ON M1E3H2

Between: Ghulam Hydor Chowdhury Landlords
Gulam Kibriya Chowdhury

And

Curtis Sean Elsey Tenants
Isabella Tracey Harrison

Ghulam Hydor Chowdhury and Gulam Kibriya Chowdhury (the 'Landlords') applied for an order to terminate the tenancy and evict Curtis Sean Elsey and Isabella Tracey Harrison (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.
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 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.

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May 10, 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 20, 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 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.

