



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

**Citation:** 2813985 Ontario Inc. v Cowper-benoit, 2023 ONLTB 32618

**Date:** 2023-04-21

**File Number:** LTB-L-014503-23

**In the matter of:** 534 ELM ST  
SUDBURY ON P3C1W6

**Between:** 2813985 Ontario Inc. Landlord

**And**

Ambur Morgan Tenants  
Gail Cowper-Benoit  
Yannick Benoit

2813985 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Ambur Morgan, Gail Cowper-Benoit and Yannick Benoit (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 Landlord and Tenants entered into an agreement to terminate the tenancy as of March 31, 2023.
2. Since the application was filed on a no-fault basis, on or 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 Landlord and Tenants is terminated. The Tenants must move out of the rental unit on or before May 2, 2023.
2. If the unit is not vacated on or before May 2, 2023, then starting May 3, 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 3, 2023.

**April 21, 2023**

**Date Issued**

---

Ian Speers

Associate Chair, Landlord and Tenant Board

Order Page 1 of 2

**File Number:** LTB-L-014503-23

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 1, 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 1, 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 3, 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.

