



Order under Section 77 Residential Tenancies Act, 2006

Citation: Abbasi v Steary, 2023 ONLTB 30921

Date: 2023-04-14

File Number: LTB-L-010265-23

In the matter of: 1273 COTTAGE PL
WINDSOR ON N8S4H4

Between: Fakhar Mehmood Abbasi Landlord

And

Jackie Pelkey Tenants
Jennifer Steary

Fakhar Mehmood Abbasi (the 'Landlord') applied for an order to terminate the tenancy and evict Jackie Pelkey and Jennifer Steary (the 'Tenants') because the Tenants gave notice to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:

1. The Tenants gave the Landlord notice to terminate the tenancy effective January 31, 2023 and the Tenants did not move out of the rental unit by the termination date set out in the notice.
2. Since the Tenants 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 Tenants 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 Tenants is terminated. The Tenants must move out of the rental unit on or before April 25, 2023.
2. If the unit is not vacated on or before April 25, 2023, then starting April 26, 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 April 26, 2023.
4. The Tenants shall pay to the Landlord \$186.00 which represents the application filing fee.

5. If the Tenants do not pay the Landlord the full amount owing on or before April 25, 2023, the Tenants will start to owe interest. This will be simple interest calculated from April 26, 2023 at 6.00% annually on the balance outstanding.

April 14, 2023

Date Issued

Sonia Anwar-Ali

Member, Landlord and Tenants 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 April 24, 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 April 24, 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 October 26, 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.