



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

**Citation:** VS Real Estate Inc v Rosales, 2023 ONLTB 30230

**Date:** 2023-04-11

**File Number:** LTB-L-041728-22

**In the matter of:** Upper, 15 McCormick Avenue Welland  
ON L3C4L8

**Between:** VS Real Estate Inc Landlord

**And**

Elias Granados Tenants  
Sulenni Rosales

VS Real Estate Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Elias Granados and Sulenni Rosales (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 July 31, 2022.
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 Landlord and Tenants is terminated. The Tenants must move out of the rental unit on or before April 18, 2023.
2. If the unit is not vacated on or before April 18, 2023, then starting April 19, 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 19, 2023.

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2023 ONL TB 30230 (CanLII)

**April 11, 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 tenant has until April 21, 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 April 17, 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 19, 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.

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