



Order under Section 77 Residential Tenancies Act, 2006

Citation: Minto Apartment Limited Partnership v Farias, 2023 ONLTB 21827

Date: 2023-02-23

File Number: LTB-L-010301-23

In the matter of: 907, 7 RICHGROVE DR
Toronto ON M9R2L1

Between: Minto Apartment Limited Partnership Landlord

And

Austin James Farias Tenants
Steel Nugent

Minto Apartment Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Austin James Farias and Steel Nugent (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 are 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 March 6, 2023.
2. If the unit is not vacated on or before March 6, 2023, then starting March 7, 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 March 7, 2023.
4. The Tenants shall pay to the Landlord \$186.00, for the cost of filing the application.



5. If the Tenants do not pay the Landlord the full amount owing on or before March 6, 2023, the Tenants will start to owe interest. This will be simple interest calculated from March 7, 2023 at 5.00% annually on the balance outstanding.

February 23, 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 March 5, 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 March 5, 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 September 7, 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.