



Order under Section 77 Residential Tenancies Act, 2006

Citation: Silva v Sobota, 2023 ONLTB 20837

Date: 2023-02-17

File Number: LTB-L-005885-23

In the matter of: 113 TOMAHAWK DR
GRIMSBY ON L3M5M4

Between: Minoli Silva Landlords
Shamil A. Ranaweera Arachchiga

And

Denton Sobota Tenants
Heather Sailsbury

Minoli Silva and Shamil A. Ranaweera Arachchiga (the 'Landlords') applied for an order to terminate the tenancy and evict Denton Sobota and Heather Sailsbury (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 January 31, 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 February 28, 2023.
2. If the unit is not vacated on or before February 28, 2023, then starting March 1, 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 March 1, 2023.



February 17, 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 has until February 27, 2023 to file a motion with the LTB to set aside the order under s.77(6) of the Act. If the Tenants files the motion by February 27, 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 1, 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.