



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

Citation: Ferreira v Waite, 2023 ONLTB 18883

Date: 2023-02-09

File Number: LTB-L-078624-22

In the matter of: 34 Parker Drive
Cambridge ON N1R7S2

Between: Carlos Ferreira Landlord

And

Allan Waite Tenants Heather Waite

On December 16, 2022, Carlos Ferreira (the 'Landlord') applied for an order to terminate the tenancy and evict Allan Waite and Heather Waite (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 December 15, 2022.
2. Since 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 February 20, 2023.
2. If the unit is not vacated on or before February 20, 2023, then starting February 21, 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 February 21, 2023.

4. The Tenants shall pay to the Landlord \$186.00, for the cost of filing the application.

Order Page 1 of 2



Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

5. If the Tenants do not pay the Landlord the full amount owing on or before February 20, 2023, the Tenants will start to owe interest. This will be simple interest calculated from February 21, 2023 at 5.00% annually on the balance outstanding.

February 9, 2023 _____ **Date Issued**

Ian Speers

Associate Chair, 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 February 19, 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 February 19, 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 August 21, 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.

