



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

**Citation:** Joshi v Churchill, 2023 ONLTB 18124

**Date:** 2023-02-02

**File Number:** LTB-L-007705-23

**In the matter of:** 183 Thompson Road  
Haldimand Ontario N3W0C3

**Between:** Aakash Joshi Landlords  
Roma Joshi

**And**

Mary Jean Churchill Tenants  
Michael Churchill

Aakash Joshi and Roma Joshi (the 'Landlords') applied for an order to terminate the tenancy and evict Mary Jean Churchill and Michael Churchill (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 October 1, 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 October 1, 2023.
2. If the unit is not vacated on or before October 1, 2023, then starting October 2, 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 October 2, 2023.

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**Tribunals Ontario**  
Landlord and Tenant Board

**Tribunaux décisionnels Ontario**  
Commission de la location immobilière

**February 2, 2023**

**Date Issued**

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**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 February 12, 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 February 12, 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 April 2, 2024 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.

