



Order under Section 77 Residential Tenancies Act, 2006

Citation: Madabhushanam v McGee-Ruiz, ONLTB 0

Date:

File Number: LTB-L-003161-23

In the matter of: 4078 Canby Street
Beamsville Ontario L0R1B4

Between: Samantha Madabhushanam Landlords
Shashanka Madabhushanam

And

Debra McGee-Ruiz Tenants
Fletcher James McGee-Ruiz

Samantha Madabhushanam and Shashanka Madabhushanam (the 'Landlords') applied for an order to terminate the tenancy and evict Debra McGee-Ruiz and Fletcher James McGee-Ruiz (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 February 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 February 1, 2023.
2. If the unit is not vacated on or before February 1, 2023, then starting February 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 February 2, 2023.



January 20, 2023
Date Issued

Kimberly Parish
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 January 30, 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 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 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.