



## Order under Section 77 Residential Tenancies Act, 2006

**Citation:** DiDonato v Gluck, 2023 ONLTB 15960

**Date:** 2023-01-20

**File Number:** LTB-L-004991-23

**In the matter of:** 134-A Stroud Road  
Hamilton Ontario L8S1Z9

**Between:** Joseph DiDonato Landlords  
Sven Opperman

**And**

Andrew Gluck Tenants  
Ashleigh Hamilton  
Jonathan Park  
Muxin Wu  
Peter Wardell  
Ryan Selman  
Sajan Flora  
Shivan Gaur

Joseph DiDonato and Sven Opperman (the 'Landlords') applied for an order to terminate the tenancy and evict Andrew Gluck, Ashleigh Hamilton, Jonathan Park, Muxin Wu, Peter Wardell, Ryan Selman, Sajan Flora and Shivan Gaur (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 April 30, 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 April 30, 2023.



2. If the unit is not vacated on or before April 30, 2023, then starting May 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 May 1, 2023.

**January 20, 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 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 files the motion by January 30, 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 November 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.