



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

**Citation:** Belanger v Longe, 2023 ONLTB 15645

**Date:** 2023-01-20

**File Number:** LTB-L-003798-23

**In the matter of:** Basement, 20 Valley Crescent West  
Elliot Lake Ontario P5A2G6

**Between:** Carole Belanger Landlord

**And**

Don Longe Tenant

On December 7, 2022, Carole Belanger (the 'Landlord') applied for an order to terminate the tenancy and evict Don Longe (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

### **Determinations:**

1. The Landlord and Tenant entered into an agreement to terminate the tenancy as of November 17, 2022.
2. Since the Landlord was required to file the application to obtain vacant possession, the Tenant is responsible for paying the Landlord for the \$201.00 application filing fee incurred.

### **It is ordered that:**

1. The tenancy between the Landlord and Tenant is terminated. The Tenant must move out of the rental unit on or before January 31, 2023.
2. If the unit is not vacated on or before January 31, 2023, then starting February 1, 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 1, 2023.
4. The Tenant shall pay to the Landlord \$201.00, for the cost of filing the application.



5. If the Tenant does not pay the Landlord the full amount owing on or before January 31, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2023, at 5.00% annually on the balance outstanding.

**January 20, 2023**

**Date Issued**

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**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 tenant has 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 tenant 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 August 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.