



## Order under Section 77 Residential Tenancies Act, 2006

**Citation:** Mesta v Micher, 2023 ONLTB 15737

**Date:** 2023-01-19

**File Number:** LTB-L-002466-23

**In the matter of:** 696 Zermatt Drive  
Waterloo Ontario N2T2V2

**Between:** Huseyin Cahit Iscan Landlords  
Ozlem Mesta

**And**

Teddy Clarence Micher Tenants  
Tyler Micher

Huseyin Cahit Iscan and Ozlem Mesta (the 'Landlords') applied for an order to terminate the tenancy and evict Teddy Clarence Micher and Tyler Micher (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 March 2, 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 March 2, 2023.
2. If the unit is not vacated on or before March 2, 2023, then starting March 3, 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 March 3, 2023.



**January 19, 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 tenant has until January 29, 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 29, 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 September 3, 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.