



Order under Section 77 Residential Tenancies Act, 2006

Citation: EVINK v HANNAH, 2023 ONLTB 15366

Date: 2023-01-18

File Number: LTB-L-077408-22

In the matter of: 55 YORK ST
ST CATHARINES ON L2R6C4

Between: DONALD EVINK Landlord

And

CRYSTAL DAVIDSON Tenants
JOHN HANNAH

DONALD EVINK (the 'Landlord') applied for an order to terminate the tenancy and evict CRYSTAL DAVIDSON and JOHN HANNAH (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 Landlord and Tenants entered into an agreement to terminate the tenancy as of January 3, 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 Landlord and Tenants is terminated. The Tenants must move out of the rental unit on or before January 29, 2023.
2. If the unit is not vacated on or before January 29, 2023, then starting January 30, 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 January 30, 2023.

January 18, 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 28, 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 January 28, 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 July 30, 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.