



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

**Citation:** ASML INCORPORATED v ATOUSSI, 2023 ONLTB 14932

**Date:** 2023-01-16

**File Number:** LTB-L-077379-22

**In the matter of:** APARTMENT # 4, 1 CHAPEL STREET BRAMPTON  
ON L6W2G9

**Between:** ASML INCORPORATED Landlord

**And**

JOANNE LOEWEN Tenants MEKKI ATOUSSI

On December 7, 2022, ASML INCORPORATED (the 'Landlord') applied for an order to terminate the tenancy and evict JOANNE LOEWEN and MEKKI ATOUSSI (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 5, 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 27, 2023.
2. If the unit is not vacated on or before January 27, 2023, then starting January 28, 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 28, 2023.

**January 16, 2023**

**Date Issued**

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**Ian Speers**  
Associate Chair, Landlord and Tenant Board

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**Tribunals Ontario**  
Landlord and Tenant Board

**Tribunaux décisionnels Ontario**  
Commission de la location immobilière

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 26, 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 26, 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 28, 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.

