



## Order under Section 77 Residential Tenancies Act, 2006

**Citation:** Ali v Chey, 2023 ONLTB 14357

**Date:** 2023-01-06

**File Number:** LTB-L-074820-22

**In the matter of:** 112, 1600 Culver Drive  
London ON N5V3H5

**Between:** Romel Ali Landlords  
Yusuff Ali

**And**

Aleeyah Phenlavanh Tenants  
Chan Chey  
Tia Chey

Romel Ali and Yusuff Ali (the 'Landlords') applied for an order to terminate the tenancy and evict Aleeyah Phenlavanh, Chan Chey and Tia Chey (the 'Tenants') because the Tenant entered into an agreement to terminate the tenancy.

This application was heard on January 4, 2023. Only the Landlord Romel Ali attended the hearing.

**Determinations:**

1. The Landlords and Tenants entered into an agreement to terminate the tenancy as of November 30, 2022 and the Tenants did not move out of the rental unit by the termination date set out in the agreement.
2. The application was sent to a hearing because only Chan Chey signed the N11 agreement to terminate the tenancy.
3. The Landlord testified that Tia Chey never resided in the rental unit. The Landlords have always dealt exclusively with Chan Chey for all issues, and it is Chan Chey who pays the rent.
4. Currently the Tenants owe the Landlords \$10,9377.00 in unpaid rent.
5. Considering the testimony from the Landlord and the fact the Tenants did not attend the hearing to challenge the Landlords' application, I find the Tenants have agreed to terminate the tenancy.



**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 17, 2023.
2. If the unit is not vacated on or before January 17, 2023, then starting January 18, 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 18, 2023.

**January 6, 2023**

**Date Issued**

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Greg Joy

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 18, 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.

