



Order under Section 77 Residential Tenancies Act, 2006

Citation: GOYAL v STRATTON, 2022 ONLTB 9753

Date: 2022-10-26

File Number: LTB-L-044955-22

In the matter of: ,

Between: SAHIL GOYAL Landlord

And

APRIL STRATTON, DARREN ROCK Tenant

SAHIL GOYAL (the 'Landlord') applied for an order to terminate the tenancy and evict APRIL STRATTON, DARREN ROCK (the 'Tenant') the Tenants agreed to terminate the tenancy.

The application was heard on October 19, 2022. Only The Landlord, represented by Teresa Baykara, attended the hearing.

Determinations:

1. An N11 agreement to terminate the tenancy was signed by one of the two tenants. As such, the application was sent to a hearing. Email correspondence, move out inspections with the cooperation of the Tenants and personal interactions with the Tenants and the property manger show that the Tenants had both agreed to terminate the tenancy.
2. At the time the Tenants agreed they owe the Landlord more than \$10,000.00 in rental arrears. Since that time, they have stopped paying rent and currently owe \$17,300.00 in unpaid rent.
3. Since the Tenants did not move out of the rental unit by the termination date, the Landlord was required to file the application to obtain vacant possession. Therefore, the Tenants are responsible for paying the Landlord for the \$201.00 application filing fee incurred.
4. I find the Tenants agreed to vacate the rental unit on August 31, 2022 and failed to vacate the unit.

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 November 2, 2022.

2. If the unit is not vacated on or before November 2, 2022, then starting November 3, 2022, 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 November 3, 2022.
4. The Tenants shall pay to the Landlord \$201.00 for the cost of the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before November 2, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 3, 2022 at 4.00% annually on the balance outstanding.

2022 ONL TB 9753 (CanLII)

October 26, 2022

Date Issued

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 May 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.

