



DEC 6, 2022

Landlord and Tenant Board

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

Citation: SAINI v PROULX, 2022 ONLTB 13625

Date: 2022-12-06

File Number: LTB-L-071988-22

In the matter of: BASEMENT, 17 GOOD HOPE ROAD
BRAMPTON ONTARIO L6R3K1

Between: SATINDERPAL SAINI Landlord

And

KATELYNN DAWN FURY, MICHAEL DANIEL Tenant
JOSEPH PROULX

On November 11, 2022, SATINDERPAL SAINI (the 'Landlord') applied for an order to terminate the tenancy and evict KATELYNN DAWN FURY, MICHAEL DANIEL JOSEPH PROULX (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

This application was considered without a hearing being held.

Determinations:


1. The Landlord and Tenant entered into an agreement to terminate the tenancy as of October 30, 2022 and the Tenant did not move out of the rental unit by the termination date set out in the agreement.
2. Since the Tenant 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 Tenant is responsible for paying the Landlord for the \$201.00 application filing fee incurred.

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 December 17, 2022.
2. If the unit is not vacated on or before December 17, 2022, then starting December 18, 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 December 18, 2022.
4. The Tenant shall pay to the Landlord \$201.00, for the cost of filing the application.

5. If the Tenant does not pay the Landlord the full amount owing on or before December 17, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 18, 2022 at 4.00% annually on the balance outstanding.

December 6, 2022
Date Issued



Ian Speers
Vice Chair, 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 December 16, 2022 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 December 16, 2022 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 June 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.