



**Aug 9, 2024**

**Order under Section 77(8)  
Residential Tenancies Act, 2006**

**Citation:** Aslam v Zatreanu, 2024 ONLTB 58858

**Date:** 2024-08-09

**File Number:** LTB-L-042169-24-SA

**In the matter of:** 721 BRIMLEY RD  
SCARBOROUGH ON M1J1C3

**Between:** Farzana Aslam Landlord  
Naeem Shahzad

**And**

Iulian Zatreanu Tenants  
Caselina Margel

Farzana Aslam and Naeem Shahzad (the 'Landlord') applied for an order to terminate the tenancy and evict Iulian Zatreanu and Caselina Margel (the 'Tenants') because the Tenants entered into an agreement to terminate the tenancy.

The Landlord's application was resolved by order LTB-L-042169-24, issued on June 4, 2024. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-042169-24.

The motion was heard by videoconference on August 1, 2024. The Landlord, represented by Greg McKechnic attended the hearing.

As of 11:00am, the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

**Determinations:**

1. The Landlord and Tenant entered into an agreement to terminate the tenancy as of June 30, 2024.
2. The Tenants vacated the rental unit on July 30, 2024.
3. The Landlord requested costs for the following reasons. The Tenants signed an N11 agreement to terminate the tenancy on June 30<sup>th</sup>. The Tenants filed a set aside motion for no other purpose than to delay leaving the property. The last month rent deposit was used for March rent, the Tenants paid April rent, and then stopped paying rent for May, June and July. Due to this behaviour the Landlord incurred the cost to prepare for an attend this hearing. The Landlord is seeking \$300.00. Under the circumstances, I find the request to be reasonable.

**It is ordered that:**

1. The motion to set aside Order LTB-L-042169-24, issued on June 4, 2024, is denied.
2. The stay of Order LTB-L-042169-24, is lifted immediately.
3. Order LTB-L-042169-24 is unchanged.
4. The Tenants shall pay to the Landlord \$300.00 in costs.
5. If the Tenants do not pay the full amount owing by August 15, 2024 the Tenants will owe interest. Interest will accrue at the rate of 7% starting August 16, 2024 until the balance is paid in full.

**August 9, 2024**



**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.