



**Order under Section 78(11)  
Residential Tenancies Act, 2006**

**File Number:** EAL-97865-21

**In the matter of:** 706 FIRST STREET EA  
CORNWALL ON K6H1M3

**Between:** Linda Sadler  
BL Properties

**and**

Brent Fisher

**I hereby certify this is a  
true copy of an Order dated  
DEC 21 2021  
SM  
Landlord and Tenant Board**

Landlords

Tenant

Linda Sadler and BL Properties (the 'Landlords') applied for an order to terminate the tenancy and evict Brent Fisher (the 'Tenant') and for an order to have the Tenant pay the rent the Tenant owes because the Tenant failed to meet a condition specified in the order issued by the Board on September 20, 2021 with respect to application EAL-96132-21.

The Landlords' application EAL-97865-21 was directed to hearing to clarify discrepancies in the L4 paperwork.

This application was heard by videoconference on December 13, 2021.

Only Linda Sadler for the Landlords and the property manager, Cheryl Cadieux, attended the hearing. As of 1:55 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

**Determinations:**


1. The order provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant did not meet certain condition(s) specified in the order.
2. I find that the Tenant has not met the following conditions specified in the order: not pay arrears \$256.75 on or before August 15, 2021; not pay September rent \$659.00 on or before September 1, 2021; not pay arrears \$256.75 on or before September 15, 2021; not pay October rent \$659.00 on or before October 1, 2021; not pay arrears \$256.75 on or before October 15, 2021; not pay November rent \$659.00 on or before November 1, 2021; not pay arrears \$256.75 on or before November 15, 2021; not pay December rent \$659.00 on or before December 1, 2021.

3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenant to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlords are entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenant was ordered to pay \$3,081.00 for rent arrears in Order EAL-96132-21. The amount that is still owing from that order is \$3,031.00 and that amount is included in this order.
5. Since the date of the order, the Tenant has failed to pay the full rent that became owing for the period from October 1, 2021 to September 30, 2021.

**It is ordered that:**

1. Order EAL-976132-21, issued on September 20, 2021, is cancelled.
2. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before January 4, 2022.
3. The Tenant shall pay to the Landlords \$3,530.00\*. This amount represents the rent owing up to December 21, 2021.
4. The Tenant shall also pay to the Landlords \$21.67 per day for compensation for the use of the unit starting December 22, 2021 to the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlords the full amount owing\* on or before January 4, 2022, the Tenant will start to owe interest. This will be simple interest calculated from January 5, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before January 4, 2022, then starting January 5, 2022, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after January 5, 2022.

**December 21, 2021**  
**Date Issued**

  
\_\_\_\_\_  
Diane Wade  
Member, Landlord and Tenant Board

Eastern-RO  
255 Albert Street, 4th Floor  
Ottawa ON K1P6A9

The tenant has until December 31, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by December 31, 2021 the order will be stayed and the Board will schedule a hearing.

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 2, 2022 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.

\* Refer to the attached Summary of Calculations.

Summary of Calculations

File Number: EAL-97865-21

Amount the Tenant must pay

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges		\$3,530.00
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting December 22, 2021		\$21.67 (per day)

<b>Total the Tenant must pay the Landlord:</b>	<b>\$3,530.00, + \$21.67 per day starting December 22, 2021</b>
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