



Order under Section 78(6)
Residential Tenancies Act, 2006

File Number: EAL-99676-22

In the matter of: 7 DRUMMOND STREET EAST
PERTH ON K7H 1E4

Between: Cheryl Esmilla
Christine Zamudio

Landlords

and

Brittany Lavier
Darcy Bell

Tenants

I hereby certify this is a
true copy of an Order dated

JUN 30, 2022

Landlord and Tenant Board

Cheryl Esmilla and Christine Zamudio (the 'Landlords') applied for an order to terminate the tenancy and evict Darcy Bell and Brittany Lavier (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on January 18, 2022 with respect to application EAL-97982-21.

Determinations:

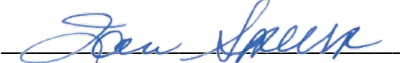
1. The order provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants did not meet certain condition(s) specified in the order.
2. I find that the Tenants have not met the following conditions specified in the order: **The Tenants did not pay \$540.50 to arrears on or before May 15, 2022. The Tenants did not pay the monthly rent on or before June 1, 2022.**
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenants 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 Tenants were ordered to pay \$6,486.00 for rent arrears and the costs related to the Landlord's application fee in Order EAL-97982-21. The amount that is still owing from that order is \$3,243.00 and that amount is included in this order. **As a result, the previous order EAL-97982-21 is cancelled.**
5. Since the date of the order, the Tenants have failed to pay the full rent that became owing for the period from June 1, 2022 to June 30, 2022.

6. The Landlords collected a rent deposit of \$2,100.00 from the Tenants and this deposit is still being held by the Landlords.
7. Interest on the rent deposit is owing to the Tenants for the period from October 21, 2020 to June 30, 2022.

It is ordered that:

1. Order EAL-97982-21 is cancelled.
2. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before July 11, 2022.
3. The Tenants shall pay to the Landlords \$3,223.42* (less any amounts paid to the Landlord after this application was filed on June 8, 2022). This amount represents the rent owing up to June 30, 2022 and the costs related to the application fee for the previous application, less the rent deposit and interest the Landlords owe on the rent deposit.
4. The Tenants shall also pay to the Landlords \$69.04 per day for compensation for the use of the unit starting July 1, 2022 to the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlords the full amount owing* on or before July 11, 2022, the Tenants will start to owe interest. This will be simple interest calculated from July 12, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before July 11, 2022, then starting July 12, 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 July 12, 2022.

June 30, 2022
Date Issued


Ian Speers
Vice Chair, Landlord and Tenant Board

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

The tenants have until July 10, 2022 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenants file the motion by July 10, 2022 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 January 12, 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.

* Refer to the attached Summary of Calculations.

Summary of Calculations

File Number: EAL-99676-22

Amount the Tenant must pay

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears:		\$5,343.00
Less the rent deposit:		-\$2,100.00
Less the interest owing on the rent deposit	October 21, 2020 to June 30, 2022	-\$19.58
Plus daily compensation owing for each day of occupation starting July 1, 2022		\$69.04 (per day)
Total the Tenants must pay the Landlord:		\$3,223.42, + \$69.04 per day starting July 1, 2022