



Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** EAL-98444-21

**In the matter of:** 819 BEDFORD STREET  
CORNWALL ON K6J4E9

**Between:** Brad Evans Landlords  
Ground Level Holdings (1977562 On Ltd)

**and**

Chris Strome  
John Tompkins  
Sheri Tompkins

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

**April 5, 2022**

Landlord and Tenant Board

Tenants

Brad Evans and Ground Level Holdings (1977562 On Ltd) (the 'Landlords') applied for an order to terminate the tenancy and evict Chris Strome, John Tompkins and Sheri Tompkins (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 8, 2022.

Only the Landlords were present when the matter was heard. The Tenants signed in at 2.00 pm, an hour after the hearing block commenced.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from November 1, 2021 to February 28, 2022. Because of the arrears, the Landlords served a Notice of Termination effective October 31, 2021.
2. The Landlords collected a rent deposit of \$800.00 from the Tenants and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenants for the period from November 27, 2020 to October 31, 2021.
4. The Tenants paid \$1,500.00 after the application was filed.
5. I have considered all the disclosed circumstances in accordance with subsection 83(2) of the Residential Tenancies Act, 2006 (the 'Act'), including the impact of the pandemic and whether the Landlord attempted to negotiate a payment plan, and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

**It is ordered that:**

1. Unless the Tenants void the order as set out below, the tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before April 16, 2022.
2. The Tenants shall pay to the Landlords \$2,587.05\*, which represents the amount of rent owing and compensation up to April 5, 2022, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords \$26.30 per day for compensation for the use of the unit starting April 6, 2022 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing\* on or before April 16, 2022, the Tenants will start to owe interest. This will be simple interest calculated from April 17, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before April 16, 2022, then starting April 17, 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 April 17, 2022.
8. If, on or before April 16, 2022, the Tenants pay the amount of \$3,471.00\*\* to the Landlords or to the Board in trust, this order for eviction will be void. This means that the tenancy would not be terminated and the Tenants could remain in the unit. If this payment is not made in full and on time, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenants may make a motion to the Board under subsection 74(11) of the Act to set aside this order if they pay the amount required under that subsection on or after April 17, 2022 but before the Sheriff gives vacant possession to the Landlords. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

**April 5, 2022**  
**Date Issued**



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Egya Sangmuah  
Vice Chair, Landlord and Tenant Board

255 Albert Street, 4th Floor  
Ottawa ON K1P6A9

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 October 17, 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 section A on the attached Summary of Calculations.

\*\* Refer to section B on the attached Summary of Calculations.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: EAL-98444-21**

**A. Amount the Tenants must pay if the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	November 1, 2021 to October 31, 2021	\$785.00
Less the amount the Tenants paid to the Landlords		-\$1,500.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	November 1, 2021 to April 5, 2022	\$4,102.80
Less the rent deposit:		-\$800.00
Less the interest owing on the rent deposit:	November 27, 2020 to October 31, 2021	-\$0.75
Amount owing to the Landlords on the order date: (total of previous boxes)		<b>\$2,587.05</b>
Additional costs the Tenants must pay to the Landlords:		\$186.00
Plus daily compensation owing for each day of occupation starting April 6, 2022:		\$26.30 (per day)
<b>Total the Tenants must pay the Landlords if the tenancy is terminated:</b>		<b>\$2,773.05, + \$26.30 per day starting April 6, 2022</b>

**B. Amount the Tenants must pay to void the eviction order and continue the tenancy:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	November 1, 2021 to April 30, 2022	\$4,785.00
Less the amount the Tenants paid to the Landlords		-\$1,500.00
Additional costs the Tenants must pay to the Landlords:		\$186.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before April 16, 2022	<b>\$3,471.00</b>