



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

File Number: LTB-L-103661-25

In the matter of: 102, 48 FRONT ST S
THOROLD ON L2V1W9

Between: BomoFive Inc. Landlord

And

Kevin Spurrell Tenant

BomoFive Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Spurrell (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 11, 2026. The Landlord's Representative, paralegal, Judith Callender, and the Tenant, Kevin Spurrell, attended the hearing. The Tenant did not speak with duty counsel prior to the hearing.

At the hearing, the parties engaged in mediation. As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the terms and consequences of their consent.

Agreed Facts:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$839.23. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$27.59. This amount is calculated as follows: \$839.23 x 12 months, divided by 365 days.
5. The Tenant has paid \$1,510.47 to the Landlord since the application was filed.
6. The rent arrears owing to March 31, 2026, are \$5,003.23.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$725.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$114.34 is owing to the Tenant for the period from July 5, 2017, to March 31, 2026.
10. Tenant indicated that \$903.23 was paid to the Landlord. The Landlord shall verify that this payment was made and, if so, apply this amount to the arrears.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$5,189.23 if the payment is made on or before March 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- \$6,028.46 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after April 30, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
 4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before April 30, 2026.**
 5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$3,814.15. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
 6. The Tenant shall also pay the Landlord compensation of \$27.59 per day for the use of the unit starting March 12, 2026 and continuing until the date the Tenant moves out of the unit.
 7. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2026, at 4.00% annually on the balance outstanding.
 8. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

9. 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 May 1, 2026.

March 16, 2026

Date Issued

Pauline Brewster

Hearings Officer, 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on November 1, 2026 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2026

Rent Owing To March 31, 2026	\$6,513.70
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,510.47
Total the Tenant must pay to continue the tenancy	\$5,189.23

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before April 30, 2026

Rent Owing To April 30, 2026	\$7,352.93
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,510.47
Total the Tenant must pay to continue the tenancy	\$6,028.46

C. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$5,977.96
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,510.47
Less the amount of the last month's rent deposit	- \$725.00
Less the amount of interest on the last month's rent (July 5, 2017, to March 31, 2026)	-\$114.34
Total amount owing to the Landlord	\$3,814.15
Plus daily compensation owing for each day of occupation starting March 12, 2026.	\$27.59 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	