

**Ministry of Government
and Consumer Services****Ministère des Services Gouvernementaux
et des Services aux consommateurs**

Inspections and Investigations Branch
56 Wellesley Street West
16th Floor
Toronto ON M7A 1C1
Tel.: 416-326-8800
Toll Free: 1 800-889-9768
Fax: 416-326-8665

Direction des inspections et des enquêtes
56, rue Wellesley Ouest
16e étage
Toronto ON M7A 1C1
Tél. : 416-326-8800
Sans frais : 1 800 889-9768
Télééc. : 416 326-8665

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To: All appointees and registrants under the Bailiffs Act

Registrar's Bulletin – December 2020**Extension of the Halt and Reversal of Commercial Evictions**

Ontario has paused evictions of businesses eligible for Canada Emergency Commercial Rent Assistance (CECRA) for small businesses, whether the business previously participated in the program or not. Landlords whose tenants were eligible for CECRA or would be eligible if applications were still being accepted, cannot change the locks or seize the tenant's assets. These landlords can go to court to get an eviction order, but if it is for outstanding rent, the court cannot make it enforceable before the temporary ban on evictions is lifted. The temporary ban on commercial evictions for CECRA-eligible tenants originally ran from May 1, 2020 to October 30, 2020 and has been extended until January 31, 2021.

If a business eligible for CECRA was evicted or had their property seized during the non-enforcement period, any unsold goods must be returned and they must be allowed back into the unit. If the goods have already been sold by the landlord, the proceeds must go towards the business' unpaid rent.

The government has also temporarily paused evictions for tenants who have been approved for the Canada Emergency Rent Subsidy (CERS). A tenant who is approved to receive CERS, and has provided their landlord proof of approval, will be protected from eviction for a 12-week period from the date of approval. If a tenant reapplies for a new CERS payment, the 12-week ban is effectively restarted from the date of the new CERS approval. Tenants must provide their landlord proof of each new approval. The last possible date a CERS-approved tenant could be protected from evictions is April 22, 2022. If this temporary ban on evictions applies to a tenant, they cannot be evicted or have their goods seized as a distress for arrears of rent.

I encourage you to carefully review the websites below to see the details of these changes and adjust your practices appropriately to continue acting responsibly as a bailiff or assistant bailiff.

Ministry of Municipal Affairs and Housing's Renting Commercial Property page:
www.ontario.ca/page/renting-commercial-property-ontario

Ontario's page on the Canada Emergency Commercial Rent Assistance Program:
www.ontario.ca/page/covid-19-rent-assistance-small-businesses

Canada's Page on the Emergency Rent Subsidy:
www.canada.ca/en/revenue-agency/services/subsidy/emergency-rent-subsidy.html

The amendments to the Commercial Tenancies Act can be found in schedule 5 of the
Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020:
<https://www.ontario.ca/laws/statute/s20036>

The supporting regulation:
<https://www.ontario.ca/laws/regulation/r20763>

Sincerely,

A handwritten signature in black ink, appearing to read 'Shane Gallagher', written in a cursive style.

Shane Gallagher

Registrar of Bailiffs