



Order under Section 137 and 138
Residential Tenancies Act, 2006

Citation: Lichty v Branta Apt Inc, 2026 ONLTB 3105

Date: 2026-01-15

File Number: LTB-T-012058-25

In the matter of: 10, 6 BRANT AVENUE
GUELPH ON N1E1E7

Between: Kathryn Lichty Tenant

And

Branta Apt Inc Landlord

Kathryn Lichty (the 'Tenant') applied for an order determining that Branta Apt Inc. (the 'Landlord') failed to meet the Landlord's obligations related to suite meters under the *Residential Tenancies Act, 2006* (the 'Act').

This application was heard by videoconference on January 6, 2026.

The Landlord's agent, Darren Fink, and the Tenant attended the hearing.

Determinations:

1. The rental unit does not have a suite meter, therefore section 137 of the Act does not apply.
2. The Tenant feels that the apportionment of utilities between the units is unfair because it is based on square footage of the units, but she is the sole occupant of her unit whereas other units have multiple occupants and presumably use more utilities, particularly water. Although not properly raised on a T7 application, this concern could have been raised on a T2 so the issue is addressed in the order.
3. O.Reg 394/10 set outs rules for apportionment of utility costs. Where utilities are not individually metered, they can be apportioned between units by either the number of units in the complex or the square footage of the units in the complex. The number of occupants in each unit is not considered when apportioning the utilities. Therefore, the apportionment of utilities by square footage of the unit is appropriate under the Act.

It is ordered that:

1. The application is dismissed.

January 15, 2026
Date Issued

Dawn Carr
Member, Landlord and Tenant Board

15 Grosvenor Street, 1st Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.