



**Order under Section 126
Residential Tenancies Act, 2006**

File Number: LTB-L-044704-24

In the matter of: 101 Kathleen Street, Whitby, Ontario, L1N 6P8

Between: Shelter Canadian Properties Limited Landlord

And

Refer to attached Schedule 2 Tenants

Shelter Canadian Properties Limited (the 'Landlord') applied for an order permitting the rent charged to be increased by more than the guideline for one or more of the rental units in the residential complex.

A Case Management Hearing took place by videoconference on December 11, 2025.

The following parties attended the hearing: Agents for the Landlord, Johannes Bos, Larry Beeston, Scott Clarke and Evelina Petritaj.

The following Tenants attended: Linda Turner, Faye Wile, Colleen Newell, Lee Ann Cayley, Laura Wood, Bill Hann, Ellisa J. Atherton, Brian Gardner, Edna Gardner, Robert Valliere, Kimberly Pratt, Valerie Parkhurst, Karen Farquharson, Lise Goudy, Margaret Shadoff, David J. Paddison, Ivan J. Prock, Eulalia F. Shane.

The Certificate of Service filed by the Landlord on November 28, 2025, indicates that some rental units listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these rental units. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following units: Units, 111, 116, 206, 210, 217, 218, 302, 305, 310, 311, 313, 314, 317, 320, 418, 511, 516, 517, 518, 519, 520, 616, 617, 621.

At the Case Management Hearing the parties agreed to the following:

- a) The maximum rent increase above the guideline because of capital expenditure is 7.70 %. This increase is for the following capital expenditure:
 - a. Exterior insulation and finish system installation (EIFS), balcony concrete repairs and water proofing, balcony guard railing replacement.

- b) Where the Landlord's application requests an increase of 8.15%, the maximum increase above the guideline for these units is 7.70%. This increase is to be taken as follows: 3.00% in the first year; 3.00% in the second year; and 1.70% in the third year.
- c) The parties agree that any Tenants currently paying market rent will be exempt from the Above the Guideline (AGI) rent increase. For the purpose of this agreement, market rent is defined, based on the amounts posted on bluewaterpark.ca website as follows:
 - One-bedroom units: \$1,895.00 per month
 - Two-bedroom units: \$2,095.00 per month
- d) For any Tenant whose rent including the AGI, would exceed the applicable market rent amount as of the effective date of the increase, the portion of the increase that exceeds market rent shall not apply. No Tenant will be required to pay rent in excess of the market rent amounts posted on bluewaterpark.ca as of the effective date of the increase.
- e) Paragraphs c) and d) above will apply for the three-year term of this Order.
- f) The weighted useful life for the capital expenditures is 14 years.
- g) The first effective date of the rent increase above the guideline is September 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 7.70% for the units set out in Schedule 1 in accordance with the agreed terms outlined in paragraphs b), c), d), and e) above.
2. The percentage increase set out in paragraph 1 is to be taken as follows:
 - a. The Landlord may increase the rents charged by 3.00% within the time period of September 1, 2024, to August 31, 2025;
 - b. The Landlord may increase the rents charged by 3.00% within the time period of September 1, 2025, to August 31, 2026; and
 - c. The Landlord may increase the rents charged by 1.70% within the time period of September 1, 2026, to August 31, 2027.
3. The percentage increase set out in paragraph 1 may be taken in addition to the annual guideline in effect on the increase date for the unit.

4. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 180 days of the date of this order.

January 21, 2026
Date Issued

Sarah Visnovec
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.

Important Notes:

1. The Landlord may increase the rent charged by the ordered increase within the time period specified if at least 12 months have passed since the last rent increase or since the tenant moved in, and if the landlord has given the Tenant at least 90 days proper Notice of Rent Increase.
2. If the Landlord has given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlord may only take the rent increase set out in the Notice.
3. If the Tenant's rent is increased pursuant to the percentage increase ordered for capital expenditures and the same Tenant remains in the unit after the expiration of the weighted useful life for capital expenditures, then the rent will be reduced. Refer to Schedule 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2023 is 2.50%, for 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

105	309	505
110	312	506
112	315	507
113	316	508
114	318	509
117	319	510
119	401	512
120	402	513
121	403	514
201	404	515
202	405	521
203	406	601
204	407	602
205	408	603
207	409	604
208	410	605
209	411	606
212	412	607
213	413	608
215	414	609
216	415	611
219	416	612
220	417	613
221	420	614
301	421	615
303	501	618
304	502	619
307	503	620
308	504	

Schedule 2 - Tenants who are Affected by this Order:

Armstrong, John E.	Gardner, Brian	Pratt, Kimberly
Atherton, Ellisa J.	Gardner, Edna	Prock, Ivan J.
Beattie, Marjorie	Gargarian, M.	Quinton, Cheryl
Behbahani, Fuad	Gionet, Giselle	Russell, Katrina
Belcom, Bruce	Goudy, Lise	Schmidt, Kristel
Bell, Sandra	Halls, Gail	Shadoff, Margaret
Bhagoo, Laura	Halls, William	Shane, Eulalia F.
Bice, Scott	Hann, Bill	Sheffield, Joan
Bolos, Samer	Haubold, Jean A.	Simkin, Diane
Brennan, Brittany	Hearst, Sharon	Skitch, Lauri
Brennan, Karen	Hegarty, Frank	Smith, Donald
Burke, Charles M.	Hegarty, Margaruite	Smith, Jennifer
Burke, Kim	Kenny, Evelyn	Smith, Marilla
Callan, Barry	Kenny, Mel	Stolk, Valerie
Campbell, Carmen	Khalil Shirani, S.	Swonarow, Cathy
Campbell, Joel	Kinsella, Martin	Tarasio, Giuseppina
Cayley, Lee Ann	Laing, V.	Terry, A.
Coe, Maurice	Larocque, Eugene	Terry, S.
Crawford, Neil Blake	Lawrence, Brian	Thanwey, Adnan
Crossman, Debbie	Matthews, J.	Thomas, Richard
Cummings, Denyse	May, Catherine	Thomas, Wendy
Cummings, Suzanne	Mclachlin, Anita	Trumbley, Patricia
D'arcy, Ryan	Mclachlin, John	Tsanga, Katerina
Dasilva, Matthew	Mcmillan, Alexander	Tsiobanos, Christine
Davis, Micheal	Newell, C.	Turner, Leonard G.
Etcher, John	Newell, H.	Turner, Linda
Etcher, Sheila	Nickolson, Michael	Valliere, Gwendolyn
Farquharson, Karen	Nickolson, Monica	Valliere, Robert
Finn, Marla	Oliver, Barbara	Van Leliveld, Willeke
Flesher, Anne	Paddison, David J.	Whitely, David
Flesher, Ron	Papathanasiou, Theodota	Whitely, Geraldine
Fresneda, Susan	Papatzikakis, Krystyna	Wilbur, Bernice
Frosolone, Mike	Parkhurst, Valerie	Wile, Faye
Fuller, Lawrence	Paroussis, Evangelos	Wile, Ira
Galbraith, Florence M.	Paul, C.	Woodley, Raye
Gallop, A. Miriam	Power, Shirley	

Schedule 3- Rent Reduction related to Capital Expenditures

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during the period 2024 then:

The date of the rent reduction will be the day before:

- the date of the Tenant's first rent increase under this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in this order).

Example:

If the Tenant's rent was increased on June 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on May 31, 2031.

If the Tenant's rent was *not* increased based on capital expenditures during the period 2024 but was increased during the later periods set out in the order then:

The date of the rent reduction will be the day before:

- the First Effective Date of Rent Increase in this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in this order).

Example:

If the first effective date of increase in this order is April 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on March 31, 2031.

B. Amount of Rent Reduction

If the Tenant's rent is increased by the total percentage increase set out in this order then:

The rent must be reduced by the total percentage increase set out in this order for capital expenditures.

If the Tenant's rent is *not* increased by the total percentage increase set out in this order then:

The rent must be reduced by an amount determined in accordance with the prescribed rules which may be equal to or less than the total percentage increase set out in this order for capital expenditures.