



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

**File Number:** LTB-L-088700-23

**In the matter of:** 443 Geneva Street, St. Catharines, Ontario, L2N  
2H2

**Between:** Emilie Bohunicky Landlord  
Valerian Bohunicky

**And**

Refer to attached Schedule 2 Tenants

Emilie Bohunicky and Valerian Bohunicky (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 18, 2025, at 1:00 PM.

The following parties attended the hearing: The Landlord, Emilie Bohunicky attended, along with 2 Tenants.

The Certificate of Service filed by the Landlord on December 5, 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 10, 13, and 14.

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

1. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 1.00%. This increase is to be taken in the first year.
2. The maximum rent increase above the guideline because of capital expenditures is 6.00%. This increase is for the following capital expenditures:
  - a. New Roof; and
  - b. New Eavestrough-downpipes

3. Where the Landlord's application requests an increase of 7.92%, the maximum increase above the guideline for these units is 6.00%. This increase is to be taken as follows: 3.00% in the first year; and 3.00% in the second year.
4. The weighted useful life for the capital expenditures is 10 years.
5. The first effective date of the rent increase above the guideline is April 1, 2024.

**On consent of the parties, it is ordered that:**

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 365 days of the date of this order.

**February 26, 2026**

**Date Issued**

*Helen Giannini*

Helen Giannini

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:**

443 Geneva Street, St. Catharines, Ontario, L2N 2H2

1  
2  
3  
4  
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6  
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**Schedule 2 - Tenants who are Affected by this Order:**

Cason.  
Dabrowski, Peter  
Fairchild, Alistair (Ocean)  
Monaghan, Rebecca  
Oginga, Kenedy  
Pfizenmaier, Rudy  
Rahim, Niemery  
Traina, Maurizio

**Schedule 3 - Ordered Rent Increase Above the Guideline****First Effective Date of Rent Increase in this Order is April 1, 2024**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

| Rental Unit<br>Address Name | Period of April 1, 2024 to<br>March 31, 2025 |                                        |                                              | Period of April 1, 2025<br>to March 31, 2026 |                                              |                            |                              |
|-----------------------------|----------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------|------------------------------|
|                             | % inc<br>for<br>Taxes                        | % inc<br>for Cap<br>Exp<br>(Max<br>3%) | Total<br>Increase<br>(Excludes<br>Guideline) | % inc<br>for Cap<br>Exp<br>(Max<br>3%)       | Total<br>Increase<br>(Excludes<br>Guideline) | Weighted<br>Useful<br>Life | Total<br>% for<br>Cap<br>Exp |
| 1, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 2, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 3, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 4, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 5, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 6, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 7, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 8, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |
| 9, 443 Geneva Street        | 1.00%                                        | 3.00%                                  | 4.00%                                        | 3.00%                                        | 3.00%                                        | 10                         | 6.00%                        |

## **Schedule 4 - 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 Schedule 3).

*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 Schedule 3).

*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.