



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-098640-25

In the matter of: 1333 Ouellette Avenue
Windsor, Ontario, N8X 4V4

Between: Hazelview Properties Landlord

And

Refer to attached Schedule 2 Tenants

Hazelview Properties (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.

This application was resolved by written hearing. The Board received submissions from the Landlord and the Tenants Mahran Al-Shaikh and John Garrie.

Municipal Taxes and Charges

It is determined that:

1. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges. I find that the increase in the municipal taxes and charges is “extraordinary” because the percentage increase between the reference year and the base year is greater than the guideline rent increase plus 50% of the guideline (section 28 of O. Reg. 516/06).
2. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.23%. This increase is to be taken in the first year.
3. The first effective date of the rent increase above the guideline is March 1, 2026.
4. The Certificate of Service filed by the Landlord on December 23, 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: 207, 208, 406, 408, 410, 506, 602, 603, 604, 607, 610, 704, 805, 906, 908, and 1010.

The Landlord's Right to Apply and Out of Scope Submissions

5. The Tenant, John Garrie, made submissions on matters which, while I understand are important to the Tenant, are not matters which the Act permits me to consider on the hearing of this application. The issues raised by the Tenant which are not relevant to my findings here are as follows:
 - a. That the Tenant believes the sought increase to be a “money grab” to pay dividends to shareholders and increases to stock value.
 - b. That the Landlord received a substantial rent increase between the past Tenant and the current Tenant.
 - c. That the Tenant believes the increase is not “out of need” but instead “out of want”.
 - d. That the Landlord collected enough funds to pay for renovations to a rental unit between tenancies.
6. Although the Tenants may feel it is unjust, the Board is a creature of statute charged with applying the law as written. Section 126 of the Act specifically provides that a Landlord may apply for an AGI for an extraordinary increase in the cost for municipal taxes and charges for the residential complex or any building in which the rental units are located. This application does not contain any claimed capital expenditures. The Board cannot stop the Landlord from exercising its right to apply for an above guideline rent increase

Maintenance

7. Tenants, Mahran Al-Shaikh and John Garrie, made submissions that there are a number of maintenance issues at the residential complex. Based on their submissions, they argued that the Landlord's application should be dismissed. The maintenance issues they raised include the following:
 - a. Ongoing pest issues impacting on health, habitability, and enjoyment of the rental unit – mice issue discovered on move in and then again this December.
 - b. A heating element in a living room not working and being told “that is the way it is”.
8. Subsection 126(12) of the Act refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issues raised by the Tenants, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligations. A disrepair problem that is not “serious” as that term is used under the Act is not relevant to these

proceedings. However, the Tenant(s) is entitled to file their own applications at the Board in respect of these issues.

It is ordered that:

1. The Landlord may increase the rents charged by 0.23% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken within the time period of March 1, 2026, to February 28, 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 60 days of the date of this order.

March 13, 2026
Date Issued

Luciella Longo
Member, 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 Tenants moved in, and if the Landlord has given the Tenants 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. The annual guideline for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

101	304	507	802	1008
102	305	508	803	1102
104	306	510	804	1103
105	307	601	806	1104
106	308	605	808	1105
107	310	606	810	1108
108	402	608	903	1110
110	403	701	904	1204
201	404	702	905	1205
205	405	703	910	1208
206	407	705	1002	1210
210	501	706	1003	
301	503	707	1004	
302	504	708	1005	
303	505	710	1006	

Schedule 2 - Tenants who are Affected by this Order:

Abdallah, Kamel
Almeida, Carlos
Alshaikh, Mahran
Anwar, Sulaiman
Babineau, Mayna
Batool, Ujala
Bilodeau, Linda
Camargo, Gustavo
Da Graca, Lilianne
Dasgupta, Siddharth
Dietrich, David
Downing, Debbie
Elanga, Manuella
Elliot, Kevin
Farias Spolavori, Tiago
Farooq Awin, Dr.
Fletcher, Daniel
Gamble, Earl
Garrie, John
George, Helen
Ghadhban, Bushra
Gharehassanlou,
Sanaz
Goodman, Brian
Gorecki, Marek

Gupta, Nalin
Hallett, Tony
Hammoud, Haidar
Happy, Leslie
Hill-Gray, Jamika
Hoffmann, Rachel
Hriesik, Jano
Hulme, Ian
Jaswal, Harpreet
Killbride, Carmen
Kzabr, Hussam
Labra Labra, Oscar
Larsh, John
Leblanc, Daryl
Levin, Hannah
Malik, Tariq
Marie Paquette, Jean
Mazzolini, Lia
McMinn, Carol
Miller, Brittany
Mohamed Adwal,
Hesham
Moslemzadeh,
Mohammadreza
Mudzonga (MA), Ranga

Murphy, Steven
Nageshkar, Vishal
Naser Traboulsi, Omar
Peris, Michael
Predhomme, Tara
Ramadan, Hussam
Redmile, Alan
Ripley, Arlene
Safou, Muwafak
Salon, Winfred
Shamoon, Hilal
Sharpe, Deborah
Simko, Michael
Smith, Gregory
Steele, Robert
Swaddling, Valerie
Tavakoli, Najmeh
Tavakoli, Nasrin
Taylor, Deborah
Turgeon, Brenda
Van Watterghem,
George
Veena, Hari
Willing, Amanda
Youngson-Dufour, Amy