



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-086403-23

In the matter of: 135 Union Street, Simcoe, Ontario, N3Y 2A9

Between: Lavolit Properties Inc. Landlord

And

Refer to attached Schedule 2 Tenants

Lavolit Properties Inc. (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 January 20, 2026.

The following parties attended the hearing: The Landlord's representative, Paul Cappa, the Landlord's agent, Egon Von Westerhold, and one Tenant.

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: 106, and 505.

The Certificate of Service filed by the Landlord on December 23, 2025, further indicates that some Tenants listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing the Tenants as parties. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following Tenants: Robert Wingrove, and Gord Galiegue.

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

1. The maximum rent increase above the guideline because of capital expenditures is 2.54%. The Landlord's application is for the following capital expenditure:
 - a. Elevator Cab Refurbishment;
 - b. Common Area Carpet Replacement; and
 - c. Exterior Cladding Installation.

2. Where the Landlord's application requests an increase of 2.54%, the maximum increase above the guideline for these units remain as claimed in the Landlord's application. This increase is to be taken in the first year.
3. The weighted useful life for the capital expenditures is 16 years.
4. The first effective date of the rent increase above the guideline is February 1, 2024.
5. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 90 days of the date of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 2.54% 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 February 1, 2024, to January 31, 2025.
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 90 days of the date of this order.

March 13, 2026

Date Issued

Nancy Fahlgren

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. Any part of the ordered increase that is not taken within the time period specified cannot be added to subsequent rent increases in subsequent time periods.

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 3 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 is 2.5% and for 2025 is 2.5%.

Schedule 1 - Units affected by this Order:

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Schedule 2 - Tenants who are Affected by this Order:

Antkiw, Diane
Arnou, Elizabeth
Arnou, Stanley
Atkinson, Bill
Atkinson, Brenda
Atlee, Richard
Atlee, Shirley
Bedford, Bart
Boughner, Marlene
Brimmer, Carolyn
Brock, Larry
Brock, Maggie
Bruder, Beverley
Bruder, Nancy
Caswell, Nicole
Courrier, Diane
Courrier, Ralph
Duncan, Diana
Duncan, Gerald
Ellis, Joe
Ellis, Marion
Ellis, Pauline
Everett, Barbara
Freeman, Gerald A.
Galiegue, Sandra

Gunn, Shirley
Kelly, Margaret
Kelly, Wayne
Kent, Joan
Lotus, Donna
Lotus, John
Macleod, Angus
Olga Schweitzer, .
Proracki, Gloria F.
Rowling, Gail
Rowling, Gerald
Rutter, Barbara
Ruzicka, Christine
Ruzicka, Emil
Shaw, Dorothy
Smelser, Sandra
Smith, Ron
Smith, Sharon
Sysiuk, Janet
Sysiuk, Ruth-Ann
Valeriete, Colleen
van Hooydonk, Fran
Walker, Patricia
Welsby, Carol
Wingrove, Marilyn

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 the 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 the 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.