



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-023477-25

In the matter of: 1209, 37 VANIER DR
KITCHENER ON N2C2P6

Between: Maher Said-Ahmed
Marriam Aidaruse
Tenants

And

Brittany Burns
Hazelview Properties
Landlords

Maher Said-Ahmed and Marriam Aidaruse (the 'Tenants') applied for an order reducing the rent increase because Brittany Burns and Hazelview Properties (the 'Landlord') failed to comply with the terms of an agreement to Increase the Rent Above the Guideline.

This application was heard by videoconference on February 23, 2026. Both Tenants attended the hearing. The legal representative Matt Anderson attended the hearing on behalf of Landlord's legal representative Sean Beard.

An Interim order LTB-T-023477-25-IN was issued on February 26, 2026.

Determinations:

1. The pleadings filed by the Tenant included with their T4 application on March 11, 2025 reference that the Landlord increased the rent above the guideline pursuant to an order issued by the Landlord and Tenant Board ('LTB'). The Tenants claim the calculation of the above guideline increase implemented by the Landlord is incorrect.
2. It was confirmed by both parties at the hearing that there is no written agreement signed by the parties permitting the Landlord to increase the rent above the guideline.
3. I determined it would be procedurally unfair to dismiss the T4 application on its face because the Tenants filed the incorrect form. The pleadings in the T4 application support the Tenants are claiming an illegal rent increase. Further, there may be limitation issues if the Tenants are required to start the process again by filing a new T1 application. I find that any prejudice to the Landlord can be mitigated by allowing the Tenants to amend their application.

4. The hearing was adjourned to allow the Tenants the opportunity to amend their T4 application to a T1 application by completing and filing a T1 application with the LTB under this same file number LTB-T-023477-25 by March 13, 2026 or their application would be dismissed. The Tenants were also directed to serve a copy on the Landlord's legal representative Sean Beard by March 13, 2026 and the email address for Sean Beard was provided in the interim order LTB-T-023477-25-IN.
5. The Tenants did not file an amended application.

It is ordered that:

1. The Tenants application is dismissed.

March 26, 2026

Date Issued

Kimberly Parish

Vice Chair, 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.