



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

File Number: LTB-L-099022-25

In the matter of: 3445 Riverside Drive E, Windsor, Ontario,
N8Y1A9

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 Tenant, Thomas Sasso on behalf of the Tenants who signed the submission. The Landlord replied to the Tenants.

It is determined that:

Municipal Taxes and Charges

1. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the 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 0.21%. This increase is to be taken in the first year.
3. The Board received joint submissions from 36 Tenants. These submissions were taken into consideration to the extent we can under the legislation. The Landlord’s reply was also taken into consideration.
4. The first effective date of the rent increase above the guideline is March 1, 2026.

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

5. The Tenant, Thomas Sasso, made submissions on matters which, while I understand are important to the Tenants, 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 Landlord has sought prior above guideline increases for capital expenditures.
 - b. That the cost of renting on Ontario has increased since 2021.
 - c. That there are no amenities offered by the building other than basic upkeep and repairs.
 - d. That the Landlord, as a business should consider that Tenants pay annual guideline rent increases which are sought each year.
 - e. That the Landlord has not done any capital work.
 - f. That the municipal tax increases have been consistent and predictable over time and cannot be considered extraordinary or unforeseen.
 - g. That maintenance is sporadic and difficult to communicate to the Landlord.
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.

Financial Hardship

7. The Tenants, submit that the Board should consider financial hardship to Tenants caused as a result of any increase granted including that some are living on a fixed income and face rising costs.
8. In respect to the Tenants' submission of financial hardship, the Act does not provide the Board with the authority to consider the financial impact on the Tenants of an above guideline increase when determining whether a landlord's above guideline increase application should be granted or denied.

It is ordered that:

1. The Landlord may increase the rents charged by 0.21% 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.

April 2, 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 Landlords 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 Landlords have given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlords have given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlords 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:

3445 Riverside Drive E, Windsor, Ontario, N8Y 1A9

102	203	303	403	504	605	705	805
103	204	304	404	505	606	706	806
104	205	305	406	507	607	707	807
105	206	306	407	508	608	708	808
106	207	307	408	509	609	709	809
107	208	308	409	510	610	710	810
109	209	309	410	601	701	801	901
110	210	310	501	602	702	802	
201	301	401	502	603	703	803	
202	302	402	503	604	704	804	

Schedule 2 - Tenants who are Affected by this Order:

(BA), Jennifer
Abdoos, Majid
Abwander, Peter
Belanger, Mark
Bieber, Paula
Biggs, Fredric
Bott, April
Braga, Corina
Brailsford, Betty
Brooks, Chad
Brouillette, Gary
Carew, Marie
Christenson, Anita
Chronopoulous, Lynn
Cotroneo, Olivia
Cragg, Stephanie
Crerar, Perri
Darocy, Carol
Dent, James
Durocher, Joyce
El-Sabaa, Ranim
Evans, Robert
Felhaber, Greg
Finlay, David
Foster, Catherine
Freeland, Wayne

Gail, Helen
Girard, Alice
Goldstein, Leah
Hennessy, Keith
Holmes, Winston
Hooker, Nancy
Howlett, Wilfred
Hughes, David
Hurowitz, Samara
J., Edward
Jessop, Melissa
Jo, Mary
Jose, Francisco
Justine, Amy
Kalinowski, Kathleen
Kassab, Habiba
Kauta, Anirudh
Knighton, Ken
Lee, Donna
Lulic, Vera
Martin, Dianne
McDonough, Paddi
Mohacsy, Alexander
Nicholson, Shamara
Panzo, Aristoteles
Patel, Harshesh

Peel, Nancy
Porter, Joshua
Rankin, Chris
Reimneitz, Rosaire
Renon, Joe
Riesberry, Shirley
Rizk, Gabriel
Roberts, Cecile
Robertson, Jodi
Rodriguez, Hector
Russell, Randy
Sasso, Thomas
Seppala, Eric
Service, Darlene
Shamoon, Nissan
St., Cindy
Stoehr, Annette
Sylvestre, Sheron
Taggart, Beverley
Tajalli, Babak
Talebpour, Faraz
Thibodeau, Gil
Thomas, William
Vallente, Juliet
Wallis, Helmut