



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

File Number: LTB-L-096452-23

In the matter of: 242 Inkerman Street East, Listowel, Ontario,
N4W 2M9

Between: Von Westerholt Partnership Landlord

And

Refer to attached Schedule 2 Tenants

Von Westerholt Partnership (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 March 5, 2026.

The following parties attended the hearing: the Landlord's legal representatives Kiel Baker and Paul Cappa, the Landlord's agent Anastasia von Westerholt, and Tenants of units 9 and 11.

The Amended Certificate of Service filed by the Landlord on March 5, 2026, 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: 103, 5, 6, 12.

The Amended Certificate of Service filed by the Landlord on March 5, 2026, indicates that a Tenant listed in the application was not served with the application and notice of hearing. The Board shall therefore amend the application by removing the Tenant as a party. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to George Brock.

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

1. The maximum rent increase above the guideline because of a capital expenditure is 3.05%. This increase is for the following capital expenditure:
 - a. Exterior and Balcony Refurbishment.

2. Where the Landlord's application requests an increase of 3.19%, the maximum increase above the guideline for these units is 3.05%. This increase is to be taken as follows: 3.00% in the first year and 0.05% in the second year.
3. The weighted useful life for the capital expenditures is 10 years.
4. The first effective date of the rent increase above the guideline is February 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 3.05% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken as follows:
 - a. The Landlord may increase the rents charged by 3.00 within the time period of February 1, 2024 to March 31, 2025; and
 - b. The Landlord may increase the rents charged by 0.05% within the time period of February 1, 2025 to March 31, 2026.
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.

April 2, 2026
Date Issued

Sandra Sabourin
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 2.50%, for 2025 is 2.5%, and for 2026 is 2.1%.

Schedule 1 - Units affected by this Order:

242 Inkerman Street East, Listowel, Ontario, N4W 2M9

101

102

104

105

106

1

2

3

4

7

8

9

10

11

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16

Schedule 2 - Tenants who are Affected by this Order:

Bard, Wendy
Bowden, Anette
Bowden, Leigh
Brock, Brenda
Brown, Shirley
Clarke, Barbara
Clarke, Cecil
Cudney, Marlene
Gill, Frederick
McBeth, Wendy
Mennie, Wanda
Morley, Loreen
Parrinton, Shirley
Rawn, Christine
Sjaarda, George
Stryker, Carson
Thompson, Karen
Tinkess, Allan
Tribble, Helen
Will, Thelma

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 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.