



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-078119-23

In the matter of: 46 Auty Street, Waterford, Ontario, N0E 1Y0

Between: 17A Properties Inc. Landlord

And

Refer to attached Schedule 2 Tenants

17A 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 December 9, 2025.

The following parties attended the hearing on behalf of the Landlord: the Landlord's representatives, Kiel Baker and Paul Cappa, and the Landlord's agents Mike Zavershnik and Wyatt Ballantyne.

The following tenants attended the hearing: Anantolii Bulik, Luke McCann, Robin Fess and Amber Shortt.

The Certificate of Service filed by the Landlord on November 6, 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: 104, 110, 202, 204, 206, 209, 210, 211, 214, 301, 302, 310, 311, 312 and 314.

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

1. The maximum rent increase above the guideline because of capital expenditure is 4.51%. This increase is for the following capital expenditure:
 - a. Roof Replacement.
2. Where the Landlord's application requests an increase of 4.54%, the maximum increase above the guideline for these units is 4.51%. This increase is to be

taken as follows: 3.00% in the first year and 1.51% in the second year.

3. The weighted useful life for the capital expenditures is 15 years.
4. The first effective date of the rent increase above the guideline is January 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 4.51% 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 January 1, 2024, to December 31, 2024; and
 - b. The Landlord may increase the rents charged by remainder of increase 1.51% within the time period January 1, 2025, to December 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.

April 8, 2026

Date Issued

John Russett

Dispute Resolution 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 the Tenant 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:

101
102
105
106
107
108
109
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112
201
203
205
207
208
212
303
304
305
306
307

Schedule 2 - Tenants who are Affected by this Order:

Atkins, Michael
Ballantyne, Wyatt
Barbosa, Louie
Bulik, Antonii
Bus, Juliet
Chambers, Frank
Craddock, Kevin
Difeo, Amanda
Fess, Robin
Haviland, Charlene
Hawton, Alana
Healy, Blair
Heath, Jaisa
Kadir, Nadeem
Lavasseur, Bonnie
Lishman, Amanda
Mallais, John
Mccann, Luke
Miller, Kyle
Olena, Bulik
Salmonds, Ken
Schison, Nick
Short, Amber
Trotman, Cheryl

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.