



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

File Number: LTB-L-078353-23-RV

In the matter of: 9 James Court, Chatham, Ontario, N7L 4Y7

Between: St. Clair Community Estates MHP Landlord

And

Delores St. Peter Tenant

Review Order

St. Clair Community Estates MHP (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 order LTB-L-078353-23 issued on January 28, 2026.

On February 9, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. This request for review is about an above guideline rent increase application that was resolved by way of a consent order issued after a Case Management Hearing (CMH). Because this review only concerns one Tenant, a copy of this order will not be issued to the other tenant parties.
2. The Tenant alleges that the Landlord would be able to recover more than it spent on the capital expenditures over more than 3 years because the useful life of the expenditures is 15 years.
3. The Tenant further submits that maintenance of trees is the Landlord's responsibility therefore the cost of tree removal should be borne by the Landlord.
4. Lastly, the Tenant contends that the Landlord uses the maintenance vehicles for other properties so the Tenants should not bear the full cost of the vehicles.
5. Based on the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.

6. A consent order can only be set aside on the grounds of common mistake, fraud, duress, misrepresentation, lack of capacity or unconscionability (*Chitel v. Rothbart*, 1984 CarswellOnt 358 (Ont. Div. Ct.). None of these grounds apply.

It is ordered that:

1. The request to review order LTB-L-078353-23 issued on January 28, 2026, is denied. The order is confirmed and remains unchanged.

April 9, 2026
Date Issued

Egya Sangmuah
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.