



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-090104-23

In the matter of: 82 Delaware Avenue, Chatham, Ontario, N7L 4W6

Between: Tierra Vista Manor Apartments c/o Steve Kewin & Associates Landlord

And

Refer to attached Schedule 2 Tenants

Tierra Vista Manor Apartments c/o Steve Kewin & Associates (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 February 2, 2026.

The following parties attended the hearing: The Landlord's Representative, Patty Duwyn, Tenant Support Jeff Wilkins from the Chatham-Kent Community Legal Clinic, and tenants Bonnie Parker (Unit 106), Cyndy Bond (Unit 109), Darlene Rivard (Unit 110), Deborah Brooks (Unit 111), Mel Jongsma (Unit 207), Johanne Laprise (Unit 311), Karen Shaw (Unit 404), and Tim Sanchuk (Unit 409).

The Certificate of Service filed by the Landlord on January 7, 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: 301.

The Certificate of Service filed by the Landlord on January 7, 2026, indicates that some Tenants listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing the Tenants as parties. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following Tenants: Charles Parker (Unit 106) & Lawrence Bishop (Unit 216).

At the case management hearing, the parties reached an agreement and requested an order on consent to resolve the application.

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

1. The maximum rent increase above the guideline because of capital expenditures is 5.27%. This increase is for the following capital expenditures:
 - a. Elevator Modernization; and,
 - b. Roof Replacement.
2. Where the Landlord's application requests an increase of 5.27%, the maximum increase above the guideline for these units is 5.27%. This increase is to be taken as follows: 3.00% in the first year; and 2.27%.
3. Where the Landlord's application requests an increase of 3.14%, the maximum increase above the guideline for these units is 3.14%. This increase is to be taken as follows: 3.00% in the first year; and 0.14%.
4. The weighted useful life for the capital expenditures is as specified on Schedule 3.
5. 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 the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 180 days of the date of this order.

April 13, 2026

Date Issued

Adam Rogers

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 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 is 2.5%, for 2025 is 2.5% and for 2026 2.1%.

Schedule 1 - Units affected by this Order:

102	305
103	306
104	307
105	308
106	309
107	310
108	311
109	312
110	314
111	315
112	401
201	402
202	403
203	404
204	405
206	406
207	407
208	408
209	409
211	410
214	411
215	412
216	414
302	415
303	416

Schedule 2 - Tenants who are Affected by this Order:

Abu, Anu
Adhikari, Khim
Antuma (Burnes), Gesiena
Bayat, Mehrsa
Bond, Cyndy
Bond, Marvin
Bourgelas, Jesse
Brammer, Michael
Bray, Anna
Brooks, Deborah
Cartier, Lyndsay
Chamlagai, Nar
Favretto, Gilberto
Ford, Allan
Ford, Patricia
Forde, Jennifer
Hall, Brian
Hurst, Richard
Jefferson, Cheryl Anne
Jolly, Emil
Jongsma, Mel
Kadejo, Damilola
Kalp, Lynda
Kumar, Ankit
Laken, Robert
Lansue, Robin
Laprise, Johanne
Levesque, Fernand
Levesque, Huquette
Levesque, Pauline

Mcauslan, Janet
Parker, Bonnie
Patel, Ashish
Pilson, Krista
Pilson, Timothy
Presello, Matthew
Priebe, Annette
Rema, Ramesh Krishna Kumar
Rivard, Darlene
Rivard, Guy
Sanchuk, Tim
Schmoldt, Kristin
Schoonjans, Carrie
Shaw, Karen
Shaw, Lloyd
St.John, Arlene
St.John, Ray
Taranto, Joseph
Taylor, Ron
Tisdale, Mark
Towsley, Chantal
Towsley, Mark
Trudgeon, Shawn
Turner, Susan
Vangent, Victoria
Vermette, Jeff
Vinter-Bishop, Marie
Walker, Kristian
Wilson, Betty

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is February 1, 2024.**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

For the period February 1, 2024 to January 31, 2025			February 1, 2025 to January 31, 2026			
Rental Unit Address Name	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
102, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
103, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
104, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
105, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
106, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
107, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
108, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
109, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
110, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
111, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
112, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
201, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
202, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
203, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
204, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
206, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
207, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
208, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
209, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
211, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
214, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
215, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
216, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
302, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
303, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
305, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
306, 82 Delaware Avenue	3.00%	3.00%	0.14%	0.14%	15	3.14%
307, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%

For the period February 1, 2024 to January 31, 2025			February 1, 2025 to January 31, 2026			
Rental Unit Address Name	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
308, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
309, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
310, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
311, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
312, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
314, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
315, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
401, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
402, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
403, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
404, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
405, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
406, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
407, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
408, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
409, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
410, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
411, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
412, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
414, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
415, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%
416, 82 Delaware Avenue	3.00%	3.00%	2.27%	2.27%	15	5.27%

Schedule 4 - 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.