



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

File Number: LTB-L-043920-25

In the matter of: 305 Briarhill Avenue, London, Ontario, N5Y 4V8

Between: BH Realty Ltd C/O Norquay Property Management Ltd Landlord

And

Refer to attached Schedule 2 Tenants

BH Realty Ltd C/O Norquay Property Management Ltd (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 Tenants: Ronald Dela Cruz – Unit 69, Sabrina (Lama) Ricketts & Robert Ricketts – Unit 138, and Jennifer Kerr (Masterson) – Unit 118. The Landlord replied to the Tenants.

It is determined that:

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 0.42%. This increase is to be taken in the first year.
3. I have accepted the Landlord's amended application filed with the Board on November 5, 2025.
4. The Certificate of Service filed by the Landlord on December 16, 2025, indicates that some rental units listed in the application were not served with the application and notice of hearing. The LTB 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: 97, 99 and 128.

5. The Certificate of Service filed by the Landlord on December 16, 2025, indicates that some tenants listed in the application were not served with the application and notice of hearing. The LTB shall therefore amend the application by removing these tenants: Wryan Wheeler, Naomie Beauchemin, Halle Wisser-Pelly, Elaine Roche, Sonia Huggett, Joshua Simpson-Elie, Traci Slauenwhite, Dawn McQuiggin, Ryan McQuiggin, Paul Richardson, Elisha Conley, Jack Worsfold, Christopher Huard, Neil Fegan, Kaitlyn Hughson, Nicole Hughson, Debbie Theroux, Betty Kerr, Randal Davis, Russel Jr. Davis, Chavaun Miller-Bennett, Ryan Gagnon, Victor Tontarelli, Victoria Fuller, Erma Flores, Fritz Burlaos, Rina Orillano, Kalman Horvath, Vitalano De Guzman, Elias Barsham, Susan Tashado, Victoria Barto, Angelina Dolson, Tara Elaine Dolson, Arnold Nyakonda, Preston Watson, Kierston McManus, Jason Mayea, Trevor Lambert, Jane Mugwaneza, Kajes Tuwaidan, Joshua Hales, Jarden Hales, Kendra Davis, Marilou Dubria, Ronesto Dubria, Amiera Yaser Iewida Dubria, Khian Carl, Leo Bois, Jennifer Prince, Lillian Dinkel, Charity Watson, Peter Rego, Nicole Gabriella Fricke Leon, Jason Barretto, Jaline Barretto, Jasmine Barretto, Justine Barretto, John Barretto, Abigail Korven, Tyler Korven, Robert Horton, Aline Chait, Sokhon Chaya, Aubrey Adams, Everley Adams, Arlene Bermudez, Willar Bermudez, Julie Richard and Ryan McNaughton.
6. The first effective date of the rent increase above the guideline is September 1, 2025.

Maintenance

7. Tenant Jennifer Kerr (Masterson) – Unit 118 submits that there are maintenance issues in the residential complex. I presume from this submission that they are arguing that this should weigh in favour of dismissal of the Landlord's application.

These issues are as follows:

- a. No caulking around dryer vents outside.
 - b. Cold drafts throughout the place.
 - c. No fan in upstairs bathroom.
 - d. No surge protectors in bathrooms.
 - e. Oven vent flap broken, so cold air comes in.
 - f. Bat came into unit on two different occasions.
8. The Tenant also included photographic evidence of other Items, but made no submissions on these photographs, other than noting that they concern other maintenance issues. The images include images of torn carpet and chipped paint.
 9. Subsection 126(12) of the *Act* refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issue raised by the Tenant, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligation. A disrepair problem that is not "serious" as that term is used under the *Act* is not relevant to these

proceedings. However, the Tenant(s) is entitled to file their own applications at the Board in respect of these issues.

Evidence Without Submissions

10. The Tenant, Ronald Dela Cruz – Unit 69, submitted a document containing email correspondence between themselves and the Landlord, a Notice of Rent Increase, and some images of what I am presuming to be maintenance issues in their rental unit.
11. Given the absence of submissions, I make no findings here.

Financial Hardship

12. The Tenants, Sabrina (Lama) Ricketts & Robert Ricketts – Unit 305, submit that the Board should consider financial hardship caused as a result of any increase above the guideline for a number of reasons including rising inflation, the cost of living, and stagnant wages.
13. In respect to the Tenant's 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.
14. Pursuant to subsection 205(2) of the Act, given that this order will issue more than three months after the first effective date of the above guideline rent increase herein, I am permitting the Tenants, Sabrina (Lama) Ricketts & Robert Ricketts – Unit 305, to pay any amounts owing to the date of the order in 4 monthly installments starting 30 days from the issuance date of this Order.
15. As always, if the Landlord is amenable to a longer repayment plan for those Tenants facing financial hardship that remains within the Landlord's discretion.

It is ordered that:

1. The Landlord may increase the rents charged by .42% 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 September 1, 2025, to August 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 shall pay to the Tenants any sum of money that is owed as a result of this order within 60 days of the date of this order.

5. The Tenants Sabrina (Lama) Ricketts and Robert Ricketts – Unit 305 shall pay any amount owing to the Landlord as a result of this order in 4 monthly installments, beginning 30 days from the issuance date of this Order.
6. For all other Tenants, they shall pay to the Landlord any sum of money that is owed as a result of this order within 60 days of the date of this order.

April 16, 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 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

305 Briarhill Avenue, London, Ontario, N5Y 4V8

1	19	55	72	89	108	125	143
2	20	56	73	90	109	126	144
3	21	57	74	91	110	127	145
4	22	58	75	92	111	129	146
5	23	59	76	93	112	130	147
6	24	60	77	94	113	131	148
7	44	61	78	95	114	132	149
8	45	62	79	96	115	133	150
9	46	63	80	98	116	134	151
10	47	64	81	100	117	135	152
11	48	65	82	101	118	136	153
12	49	66	83	102	119	137	154
14	50	67	84	103	120	138	155
15	51	68	85	104	121	139	
16	52	69	86	105	122	140	
17	53	70	87	106	123	141	
18	54	71	88	107	124	142	

Schedule 2 - Tenants who are Affected by this Order:

Acimovic, Milona	Cunha, Paula	Harerimana, Pierre
Acimovic, Steve	Davis, Brenda	Held, Jessica
Adams, Kelly	Davis, Linda	Hooper, Robert
Agnew, Nathan	Davis, Russel	Hopper, Gord
Akhras, Kabalan	Dawe, Bonnie	Horton, Irina
Alakhras, Anwar	Dawson, Kirk	Horvath, Erik
Alkuino, Haspee	Dawson, Lacey	Horvath, Magdolna
Alkuino, Romeo	De Guzman, Joey	Hughson, Janice
Allen, Melissa	De Guzman, Samantha	Hughson, Nicole
Anderson, Jacqueline P.	Dela Cruz, Ronald	Hunt, Cody
Balandin, Samantha	Dela Cruz, Angela	Hunt, Lisa C.
Barretto, Evangeline	Delic, Ljiljana	Ileia, Sita
Bermudez, Vanessa	Derond, Jennifer	Ismail, Sophia
Bernal Sarmiento, German	Dicy, Robbin	Jackson, Fitzmark
Bielski, Milaidy	Dolson, James	Johnson, Damaina
Bielski, Ted	Dowdell, Brandon	Johnstone, Brenda
Blatchford, James	Drouilliard, Amber	Johnstone, Johnathan
Blatchford, Yessenia	Earls, Stacey	Johnstone, Larry R.
Blois, Jennifer	Edwards, Percival	Jones, Katelyn
Blondin, Cameo	El Bayati, Raed	Kalonta, Andaper
Boyd, Eleanor	Fanson, Mike	Kamhunga, Catherine
Boyd, John	Fegan, Mandy	Kerr, David
Bradshaw, Michael	Ferri, Erin	Kerr, Vanesa
Brescia, Sheila	Ficht, Miranda	Kok, Sarah
Brook, Alycia	Flores, Carolina (Reina)	Korven, Christopher
Brook, Christopher	Flores, Irene	Kreamer, Samantha
Broom, Gary	Flores, Oscar	Kropf, Eunice
Canavan, Robert	Floyd, Kristin	Kropf, Ron
Carpenter, Jacqueline	Forrester, Catherine	Lama, Sabrina
Chaylt, Sarah	Garant, Kristin	Laurie, William
Childs, Jamie	Garvie, Mark	Lazurek, Gary
Clark, Sofiyah	Gould, Kaylee	Liloc, Daphne D.
Coleby, Jonathan Alan	Gould, Michael	Liloc, Jerryl
Concannon, Logan	Graham, Amanda	Livingston, Linda
Congdon, Janet	Gunness, Barbara	Luzius-Vanin, Rosanna
Congdon, Larry	Gunness, David	Lyle, Christopher
Conley, Sue	Gurney, Jeffrey	Malin, Rachael
Cooper, Melissa	Hagen, Amanda	Martin, Vanessa
Culbert, Jeff	Hales, David	Masterson, Jennifer
Cunha, Marta	Hales, Melvina	McIntyre, Steven
McManus, Alexander		Mecrate, Wendy
McManus, Lori		Merrow, Jonathan
		Micks, Gordon
		Micks, Lorraine

Miller, Cindy
Miller, Terese
Molina/Valdez, Raul
Moreno, Yenny Leon
Moreno Romero, Mery
Esperanza
Moskwa, Karen
Moskwa, Steve
Moss, Shane
Mulat, Leah
Nissan, Odicho
Nolan, Matthew
Ouellette, Aaron
Pepper, Andrea
Perrier, Ian
Picott, Ivan
Pike, Cavell
Pratt, Karen
Preston, Dan
Prince, Richard
Queenan, Trevor
Rammeloo, Richelle
Reda, Sanaa
Rego, Brandon

Rice, Brian
Ricketts, Robert J
Rideout, Trevor
Rin, Nicole
Riopelle, Damien
Riopelle, Laurie Ann
Roberts, Jessica
Rombouts, Amanda
Sarinana, Martha
Sharples, David
Sharples, Melissa
Sheppard, Veronica
Shone, Johnathan
Siroen, Carly Natasha
Slack, Amanda
Sok, Chan
Souro, Amal
Starchuk, Jessica M.
Stephens, Elizabeth
Sturgess, Ronald
Sullivan, Michael
Sutherland-Finley, Jeanette
Theroux, Taylor
Thin, Sem

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Thompson, Brian
Thompson, Jennifer
Thompson, Lucas
Titizian, Matthew
Traill, Jessie
Traill, Kevin
Veal, Jared
Veal, Lara
Vidican, Janet
Vidican, Michael
Vojvodin, Mike
Walker-Stewart, Susanne
Welter, Victoria
Wheatley, Kassandra
Wheeler, Nicole/E.
Whittington, Leslie
Wild, Gregory
Williamson, Morley
Winstone, Sherri
Worsfold, Kelly
Wright, Carrie
Zavitz, Louisa
Zavitz-Cook, Eva