



## **Order under Section 135 Residential Tenancies Act, 2006**

**File Number:** LTB-T-109586-25

**In the matter of:** 103, 116 SPENCER AVE  
TORONTO ON M6K2J6

**Between:** Glenn Aubrey Tenant

**And**

Spencer District Inc. Landlord  
Valour Management Inc.

Glenn Aubrey (the 'Tenant') applied for an order determining that Spencer District Inc. and Valour Management Inc. (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 13, 2026.

Only the Tenant and Tenant's legal representative Shaun Harvey attended the hearing.

The Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

### **Determinations:**

1. The Tenant requested an order declaring that the N1 Notice served by the Landlord was improper and therefore that the lawful rent did not increase effective January 1, 2026.
2. The Tenant testified that he was served with an N1 Notice seeking an increase the monthly rent from \$745.61 to \$761.27. The Tenant initially stated that the N1 Notice was received on October 15, 2025, but subsequently clarified it was actually received on October 17, 2025. The N1 Notice was dated September 26, 2025.
3. The Tenant did not pay the increased rent of \$761.27 demanded by the Landlord.
4. Section 116(1) of the *Residential Tenancies Act, 2006* (the "Act") provides that a landlord shall not increase the rent charged to a tenant for a rental unit without first giving the tenant at least 90 days' written notice of the landlord's intention to do so.

5. As the Tenant was served with the N1 Notice on October 17, 2025, the earliest lawful effective date for a rent increase was February 1, 2026. Accordingly, the N1 Notice is invalid, and the lawful monthly rent remains \$745.61.
6. Although the N1 Notice dated September 26, 2025 is invalid, the Tenant did not suffer any monetary loss as a result. However, the Tenant was successful in obtaining declaratory relief confirming that the lawful rent did not increase. In the circumstances, I find it appropriate to award the Tenant the application filing fee.

**It is ordered that:**

1. The Landlord shall pay the Tenant \$48.00 for the application filing fee by April 30, 2026.
2. If the Landlord does not pay the Tenant the full amount owing by April 30, 2026, the Tenant may recover this amount by deducting it from the May 2026 rent.

**April 22, 2026**  
**Date Issued**

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Brett Lockwood  
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.