



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

File Number: LTB-L-098256-25

In the matter of: 8950 Wyandotte St E, Windsor, Ontario, N8S 1V3
8955 Wyandotte St E, Windsor, Ontario, N8S 1V4
9150 Wyandotte St E, Windsor, Ontario, N8S 4C7

Between: Hazelview Properties Landlord

And

Refer to attached Schedule 2 Tenants

Hazelview Properties (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 the Tenants: Anette Martin – Unit 305 and Joseph Delavalle – Unit 207. The Landlord replied to the Tenants.

It is determined that:

Municipal Taxes and Charges

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 0.24%. This increase is to be taken in the first year.
3. The Certificate of Service filed by the Landlord on December 23, 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:

204, 206, 403, 505 at 8950 Wyandotte Street East, 201, 407, 408, 505 at 8955 Wyandotte Street East, 202, 208, 302, 405, 406, 501, 507 and 508 at 9150 Wyandotte Street East.

4. The first effective date of the rent increase above the guideline is March 1, 2026.

Maintenance

5. The Tenant residing in Unit 305 submits that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. That the Tenant's rental unit has lacked sufficient heat since March of 2017 and that the Tenant has used their own energy efficient heater to keep warm in the rental unit.
 - b. Damaged bathroom door frame was never replaced and only painted over.
 - c. Flaws on kitchen cabinets painted over.
 - d. Bedroom windows fog up when it's cold and frost up in frigid temperature.
6. Subsection 126(12) of the *Act* refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issues raised by the Tenant, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligations. 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.

Financial Hardship

7. The Tenant residing in Unit 207 submits that the Board should consider financial hardship to caused as a result of any increase granted as they are on a fixed income and are facing challenges affording sufficient healthy meals due to prior above guideline increases for the residential complex for which the Tenant is paying and/or has paid via a repayment plan with the Landlord.
8. 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.
9. As always, if the Landlord is amenable to a repayment plan for those Tenants facing financial hardship that remains within the Landlord's discretion.

The Landlord's Right to Apply and Out of Scope Submissions

10. The Tenant residing in Unit 207 made submissions on matters which, while I understand are important to the Tenant, are not matters which the Act permits me to consider on the hearing of this application. The issues raised by the Tenant which are not relevant to my findings here are as follows:
- That noise from a neighbouring Tenant's "illegal business machinery" runs 24 hours a day 7 days a week.
 - Constant smoking causes the alarm to go off and "runs after midnight through the day".
 - New door locks "look horrible".
11. Although the Tenant may feel it is unjust, the Board is a creature of statute charged with applying the law as written. Section 126 of the Act specifically provides that a Landlord may apply for an AGI for an extraordinary increase in the cost for municipal taxes and charges for the residential complex or any building in which the rental units are located. This application does not contain any claimed capital expenditures. The Board cannot stop the Landlord from exercising its right to apply for an above guideline rent increase.

It is ordered that:

- The Landlord may increase the rents charged by 0.24% for the units set out in Schedule 1.
- The percentage increase set out in paragraph 1 is to be taken within the time period of March 1, 2026, to February 28, 2027.
- 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.
- The Landlord or the Tenants shall pay to the other 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 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

8950 Wyandotte St E, Windsor, Ontario, N8S 1V3

101	107	203	301	305	405	501	506
103	108	205	302	307	406	502	507
104	201	207	303	401	407	503	
106	202	208	304	404	408	504	

8955 Wyandotte St E, Windsor, Ontario, N8S 1V4

101	107	205	303	308	405	506
103	108	206	304	401	406	507
104	202	208	305	402	501	508
105	203	301	306	403	502	
106	204	302	307	404	504	

9150 Wyandotte S E, Windsor, Ontario, N8S 4C7

308	407	504	103	107	206	304
402	408	506	104	201	207	305
403	502	101	105	203	301	306
404	503	102	106	204	303	307

Schedule 2 - Tenants who are Affected by this Order:

Addis, Ken
Al Madani, Farah
Arbagi, Jamile
Attar, Ami
Bavu, Sandeep
Beaudry, Pam
Bondy, Ingrid
Branton, Jo-anne
Bray-Lefaive, Darrel
Bridgen, Billie
Brody, Jim
Brosseau, Tara
Bulley, Kevin
Butler, Dean
Campeau, Richard
Coleman, Patrick
Conner, Neil
Connor, Karen
Cournoyea, Karen
Cusson, Hilda
Delavalle, Joseph
Demers, Robert
Deneau, Audrey
Dobey, Maria
Dobrint, Taylor
Donison, Diane
Drouillaird, Sara
Duggan, Nina
Duncan McLeod, Kirk
Fan, Pingping

Gagnon, Kim
George, Ronald
Greydanus, Brian
Hardcastle, Maureen
Herman, Barbara
Hitchins, Jeff
Holmes, Danielle
Hutton, Patricia
Ignjatovic, Tomka
Jaryszek, Diane
Joynson, Steve
J Wayne, Linda
Kaminsky, Dorothy
Langan, John
Lapensee, Diane
Lewis-Shaw, Tristen
Lloyd-Bishop, Janice
Martin, Annette
Martin, Susan
Matheson, Martha
Mazzei, Bill
McClymont, Meghan
McGregor, Darlena
McIntosh, Robert
McLaughlin, Patricia
Melanson, Katherine
Meloche, Ruth
Melocke, Loretta
Mikec, Scott
Mikha, Kamel

Mineau, Darren
Millin, Nola
Moes, Alec
Murray, Betty
Nazarpour, Aida
Ouellette, Gloria
Pare, Ashley
Pollock, Cheryl
Potros, Adriana
Potter, Beverly
Powell, Glynn
Puie, Traian
Ranjit, Neha
Renaud, Edward
Renaud, Mark
Rutherford, Catherine
Ryan, Meaghan
Schaffer, Deborah
Simpson, Cathy
Simpson, Sharon
Sinclair, James
Soszynski, Tomasz
Stallard, Gordon
Su, Zhizheng
Surgent, Jennifer
Taylor, Shirley
Tilly, Shaylynn
Veldhuis, Gus
Vidamour, Nancy
Warner, Kyle