



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

File Number: LTB-L-021077-25

In the matter of: 119 Neff Street, Port Colborne, Ontario, L3K 3T7

Between: Ralph Rotella Landlord

And

Refer to attached Schedule 2 Tenants

Ralph Rotella (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. No submissions were received from the Tenants. The Landlord filed submissions.

Preliminary Matters

Increases in Utility Costs

1. The Landlord submits that at no time did the Board advise that extraordinary costs for utilities were no longer eligible for an above guideline increase when at one time they did qualify. They ask what the Landlord is supposed to do when water utility costs increase from \$5,000 per year to \$45,000 per year due to the municipality changing from a building flat fee to charging the same flat fee for each unit plus consumption.
2. It is not incumbent on the Board to instruct the Landlord on what costs are claimable costs under the Act. Rather, a legal representative must make themselves aware of the law and rules which currently apply. While I appreciate that the issue raised is important to the Landlord, the Board is a creature of statute, charged with applying the law as it currently exists. It is the prerogative of the Landlord to pursue changes to the legislation with the Legislature.

Municipal Taxes and Charges

It is determined that:

3. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the cost for 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).
4. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 1.38%. This increase is to be taken in the first year.
5. I have accepted the Landlord's amended application filed with the Board on August 11, 2025.
6. The first effective date of the rent increase above the guideline is July 1, 2025.

It is ordered that:

1. The Landlord may increase the rents charged by 1.38% 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 July 1, 2025, to June 30, 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 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 27, 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 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 Tenants moved in, and if the Landlord has given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlord has given 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. The annual guideline for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

119 Neff Street, Port Colborne, Ontario, L3K 3T7

101	113	206	219	401
102	114	207	301	402
103	115	209	302	403
104	116	210	303	404
105	117	211	304	405
106	118	212	305	406
107	201	213	306	407
109	202	214	307	408
110	203	216	308	409
111	204	217	309	410
112	205	218	310	

Schedule 2 - Tenants who are Affected by this Order:

Abbott, Joyce
Babcock, Joan
Becskereki, Bill
Becskereki, Carol
Bourke, Laurie
Breton, Laurain
Bruno, Darcey
Bruno, Gary
Campbell, Robert
Carriere, Jackie
Carthew, Bob
Childs, Ken
Cottle, Joelle
D'Ambrozia, Mary
Delaney, Ann
Delaney, Hugh
Dilts, Lynda
Falosa, William
Farnan, Carol
Firth, Shawn
Fortin, Adrianna

Hansen, Robert
Hemauer, Nicki
Hosain, Saima
Howe, Ed
Howe, Susan
Knisley, Elizabeth
Knox, Sharon
Kovacs, Randy
Lacroix, Alain
Lacroix, Frances
Lavelle, John
Lee, Lynn
Lessard, Diane
Lessard, Victor
Lococo, Mary
Loder, Mark
MacKay, Pat
Maillet, Grace
McPhee, Louise
Nuxoll, Frank
Nuxoll, Valerie

Oskam, Jane
Pacsuta, Matt
Pilon, Gail
Pinet, Estelle
Richard, Fern
Rickard, Lesley
Ricker, Kim
Ricker, Linda
Roy, Patricia
Shergold, Raymond
Somers, Brenda
Stanzione, Diane
Sturman, Michael
Thornton, Niall
Tobin, George
Tobin, Gloria
Wagner, Wayne
Whiteford, Don
Whiteford, Dorothy
Winger, Lyle
Winger, Rosemarie