



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

File Number: LTB-L-046758-25

In the matter of: 780 Elm Street, Port Colborne, On L3K 4R4

Between: 7869908 Canada Inc. Landlord

and

Refer to attached Schedule 2 Tenants

7869908 Canada Inc. (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 March 9, 2026. Director, David Shainhouse, attended on behalf of the Landlord. Tenants, Janet Oram along with her son, Chris Oram, and Natasha Young, attended. The parties reached a settlement and requested a consent order. I was satisfied the parties made an informed decision, understanding the terms and consequences.

The Certificate of Service filed by the Landlord on February 2, 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: Units 107, 317, 319 and 322.

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

Claim and Agreed Upon for Municipal Taxes & Charges:

1. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.82%. This increase is to be taken in the first year.

Claim and Agreed Upon for Capital Expenditures:

2. The maximum rent increase above the guideline because of capital expenditures is 2.58%. This increase is for the following capital expenditure: Windows.
3. Where the Landlord's application requests an increase of 2.58%, the maximum increase above the guideline for Units 104, 105 and 106 is 2.58%. This increase is to be taken in the first year.

4. The weighted useful life for the capital expenditure is 15 years.
5. The first effective date of the rent increase above the guideline is September 1, 2025.
6. The parties will have 90 days after the issuance of the order to pay any sum of money that is owed as a result of this order.

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 90 days of the date of this order.

April 27 2026
Date Issued

Shawn Hayman
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 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

104
105
106
208
210
211
213
215
318
320
323
324
325

Schedule 2 - Tenants who are Affected by this Order:

Beck, Chad
Dayboll, Lorie
Duguay, Katherine
Farkas, Dennis
Fraser, Michael
Grant, Daniel
Hood, Brandon
Jade, George
Mercuri, Nino
Mulkins, Andrew
Mulkins, Cindy
Ohara, Michael
Oram, Janet
Young, Michael
Young, Natasha

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is September 1, 2025**

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 of September 1, 2025 to August 31, 2026					
Rental Unit Address	% inc for Taxes	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
104, 780 Elm Street	0.82%	2.58%	3.40%	15	2.58%
105, 780 Elm Street	0.82%	2.58%	3.40%	15	2.58%
106, 780 Elm Street	0.82%	2.58%	3.40%	15	2.58%
208, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
210, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
211, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
213, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
215, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
318, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
320, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
323, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
324, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%
325, 780 Elm Street	0.82%	0.00%	0.82%	0	0.00%

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 2025 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 2025 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.