



**Order under Section 126
Residential Tenancies Act, 2006
And section 21.1 of the Statutory Powers Procedure Act**

File Number: LTB-L-058095-23-AM

In the matter of: 3915 Portage Road, Niagara Falls, Ontario, L2J
4C8

Between: Skyline Living Landlord

And

Refer to attached Schedule 2 Tenants

This amended order is issued to correct a clerical error in the original order issued on April 9, 2026. The corrections have been bolded and underlined for ease of reference in the order.

Skyline Living (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 February 26, 2026.

The following people attended the Case Management Hearing on behalf of the Landlord: The Landlord's Legal Representative, Heather Waese, and the Landlord's Agents, Dan Dowling and Julia Wallace.

The following Tenants attended the Case Management Hearing: Unit 105, Al-Anne Anderson, Unit 205, Brian Hornibrook and Susan Hornibrook, Unit 401- Linda Matta, and Unit 504- Ken Wonch.

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

1. The maximum rent increase above the guideline because of capital expenditures will be 1.97%. This increase is for the following capital expenditures:
 - a. Parking Garage Entrance Enclosure;
 - b. Parking Garage Repairs; and
 - c. Surveillance System.

2. Where the Landlord's application requests an increase of 2.51%, the maximum increase above the guideline for these units is 1.97%. This increase is to be taken in the first year.
3. The weighted useful life for the capital expenditures is **12 years**.
4. The first effective date of the rent increase above the guideline is October 1, 2023.
5. The Landlord or Tenants shall reconcile accounts within 90 days of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 1.97% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken as follows:
 - a. The Landlord may increase the rents charged by 1.97% within the time period of October 1, 2023, to September 30, 2024.
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 90 days of the date of this order.

April 9, 2026
Date Issued

Eno Ubia
Hearings Officer, Landlord and Tenant Board

April 29, 2026
Date Amended Order Issued

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 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 3 for information about the date and amount of the rent reduction.
4. The annual guideline for 2023 is 2.5% and for 2024 is 2.5%.

Schedule 1 - Units affected by this Order:

103	405
104	407
105	408
106	409
107	410
108	501
109	502
201	503
202	504
203	505
205	506
206	507
208	508
210	509
301	510
302	601
303	602
304	603
305	604
307	605
308	606
401	607
402	608
403	609
404	610

Schedule 2 - Tenants who are Affected by this Order:

Adachi, Jane	Mackay, Mary
Alderson, Laura	Marshall, Sandra
Anderson, Al-anne	Mason, Fred
Atkinson, Carol	Mason, Lillian
Boosey, Michael	Matta, Linda
Boosey, Pauline	Matta, Terrence
Botting, Mary	Maves, Diane
Brian, Eric A	Maves, James
Brian, Eric G	McGuire, James
Chamberlain, Robert	McIlravey, Jacob
Chawner, Joyce	McPhee, Barbara
Claydon, David	Miller, Marilyn
Claydon, Sharon	Morandin, Margaret
Colesnicenco, Daria	Morrison, John
Collins, Gail	Muir, Barbara
Dixon, Ken	Nadeau, Andre
Fish, Diane Mary	Pando, Joan
Gabrielli, Sandy	Plouffe, Josee
Graham, Joann	Robertson, Jana
Hachy, Kenneth	Romynu, Artem
Hachy, Linda	Salvatore, Jerry
Holland, Wayne	Segato, Raymond
Hornibrook, Brian	Skinner, Brenda
Hornibrook, Susan	Snider, Betty
Knight, John	Stewart, Bruce
Koury, Steve	Stumpo, Frank
Legere, Brian	Wall, Shirley
Legere, Verna	Westerhof, Diane
Lewis, Shelley	Wonch, Ken
Lockhart, Dorthy	Zia, Umar
Lockhart, Willard	

Schedule 3 - Rent Reduction related to Capital Expenditures:

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during the period 2023 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 the order).

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 the period 2023 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 the order).

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.