



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-039275-25

In the matter of: 41 Sutherland Street West, Caledonia, Ontario,
N3W 1L1

Between: Sutherland Caledonia Inc. Landlord

and

Refer to attached Schedule 2 Tenants

Sutherland Caledonia 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 16, 2026.

The following parties attended the hearing:

Licensed paralegal Keegan Doherty who represented several Tenants and agreed to be spokesperson for all the Tenants present at the hearing, and several other Tenants also attended.

The Landlord's Legal Representative, Allistair Trent and Marzia Pizzoferrato also attended on behalf of the Landlord.

The Certificate of Service filed by the Landlord on March 16, 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: 102, 106, 108, 118, 119, 203, 218, 219, 311, 413, 416 and 419.

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

1. The maximum rent increase above the guideline because of capital expenditures is 4.00%. This increase is for the following capital expenditure:
 - a. Concrete retaining wall.
2. Where the Landlord's application requested an increase of 5.43%, the maximum increase above the guideline for these units is 4.00%. This increase is to be

taken as follows: 2.00% in the first year, and 2.00% in the second year.

3. Where the Landlord's application requested an increase of 0.00%, the maximum increase above the guideline will remain at 0.00%.
4. The weighted useful life for the capital expenditures is 25 years.
5. The first effective date of the rent increase above the guideline is July 1, 2025.
6. The Landlord is waiving the Above Guideline Increase portion of the rent owing by the Tenants, arising as a result of this Order, for the period from July 1, 2025, through to the date of this Order.
7. The parties agreed to amend the name of the Landlord as stated on the original L5 application to Sutherland Caledonia Inc.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 4.00% for the units 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 120 days of the date of this order.
4. The Landlord shall not pursue the Tenants for payment of the Above Guideline Increase portion of the rent owing, arising as a result of this Order, for the period from July 1, 2025, through to the date of this Order. The Landlord waives these amounts.

May 6, 2026
Date Issued

Nick Vescio

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 2.5% and for 2026 is 2.1%.

Schedule 1 - Units affected by this Order:

103	305
104	306
105	307
107	308
109	309
111	310
112	312
113	313
114	314
115	315
116	316
117	317
120	318
201	319
202	320
204	401
205	402
206	403
207	404
208	405
209	406
211	407
212	408
213	409
214	410
215	411
216	412
217	414
220	415
301	417
302	418
303	420
304	

Schedule 2 - Tenants who are Affected by this Order:

Afrasiabi, Linda
Archer, Brad
Augustino, Brock
Bernhardt, Allan
Biladeau, Claudette
Brown, Rusty
Burridge, Stuart
Buss, Penny
Buss, Terry
Cameron, Dave
Chadd, Karen
Clark, Holly
Clark, Jean
Clark, Jerome
Crysdale, Bryan
Curtis, Kelly
Dickers, Grant
Duncan, Jim
Fachnie, Dennis
Fallak, Horst
Faubert, Russel
Gibson, Ryan
Gillott, J.
Hawke, Diane
Hildebrandt, Trevor
Hill, Janice
Holy, Joe
Horton, Ron
Hubert, Mary
Hurley, Sue
Jepson, Connie
Jones, Dorothy
Kelly, Catherine
Koch, Diane
Koch, Neil
Laforme, Betty
Lenos, Clarence

Lenos, Julie
MacLean, Jessica
MacLean, Tracy
MacMillan, Wendy
Mahoney, Murray
McDougall, Diane
McLean, Donna
McLeary, Susan
Mercer, Connie
Mullally, Pat
Mullally, Shirley
Nagy, Paul
Nicholson, Margaret
O'Sullivan, Rosa
Peaire, Raymond
Raposo, Mary
Richards, Kathleen
Robb, Ruth
Roman Martin, Julio
Russell, Rick
Salverda, Glen
Savoia, Stephen
Schofield, Marjory
Sickle, Mary
Stankovic, Irene
Stars, Carl
Stars, Taylor
Stockton, Phillip
Stoneman, Kevin
Stosic, Kosa
Taylor, John
Taylor, Rita
Turner, Todd
Van Impe, Tom J.
Vaudin, Antony
Wilkie, Marie
Yarysh, Jonathan

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is July 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 July 1, 2025 to June 30, 2026			July 1, 2026 to June 30, 2027			
Rental Unit Address Name	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
103, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
104, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
105, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
107, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
109, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
111, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
112, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
113, 41 Sutherland Street West	0.00%	0.00%	0.00%	0.00%	0	0.00%
114, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
115, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
116, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
117, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
120, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
201, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
202, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
204, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
205, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
206, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
207, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
208, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
209, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
211, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
212, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
213, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
214, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
215, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
216, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
217, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%

For the period July 1, 2025 to June 30, 2026			July 1, 2026 to June 30, 2027			
Rental Unit Address Name	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
220, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
301, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
302, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
303, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
304, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
305, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
306, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
307, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
308, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
309, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
310, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
312, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
313, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
314, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
315, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
316, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
317, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
318, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
319, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
320, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
401, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
402, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
403, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
404, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
405, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
406, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
407, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
408, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
409, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
410, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
411, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
412, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
414, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
415, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%

For the period July 1, 2025 to June 30, 2026			July 1, 2026 to June 30, 2027			
Rental Unit Address Name	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
417, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
418, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%
420, 41 Sutherland Street West	2.00%	2.00%	2.00%	2.00%	25	4.00%

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 the period 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 the period 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.