



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

File Number: LTB-L-085852-25

In the matter of: 1364 Boyer Road, Ottawa, Ontario, K1C 1R1

Between: Carole Fortin Landlord

And

Adeline Spadaccini Tenant

Carole Fortin (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 Landlord and the Tenant: Adeline Spadaccini.

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 0.46%. This increase is to be taken in the first year.
3. The first effective date of the rent increase above the guideline is April 1, 2026.
4. I have accepted the Landlord’s amended application filed with the Board on November 19, 2025.

Maintenance

5. The Tenant, Adeline Spadaccini, submits, with some photographic evidence, that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. Mold in their rental unit – in a corner of two bedroom units – was wiped by the Landlord with a cloth to clean and no mold professionals or cleaners were brought in to investigate the source.
 - b. No bathroom exhaust fan.
 - c. No fan hood above the kitchen stove.
6. In reply, the Landlord submits that the mold was treated using hydrogen peroxide and that this eliminated the mold. They submit the photographs shown by the Tenant show staining on the paint surface produced by the mold after it was removed.
7. 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 is entitled to file their own applications at the Board in respect of these issues.

It is ordered that:

1. The Landlord may increase the rents charged by 0.46% 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 April 1, 2026, to March 31, 2027.
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.

May 6, 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. 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.
2. 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.
3. The annual guideline for 2026 is 2.10%.