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:

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Schedule 2 - Tenants who are Affected by this Order:

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

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.