



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-042506-24

In the matter of: 10 Burnside Avenue, Ottawa, Ontario, K1Y 2L9

Between: District Realty Landlord

And

Refer to attached Schedule 2 Tenants

District Realty (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 23, 2026.

The following parties attended the hearing, the Landlord's Representative, lawyer, David Lyman, Landlord's agents, Whit Fraser, Lia Gurevich Koger, Sarah Dallavedova and several Tenants attended, Tenant, Anthony Nicolas (unit 408) spoke on behalf of the Tenants in attendance.

The Certificate of Service filed by the Landlord on February 13, 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 unit: 504.

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

1. The maximum rent increase above the guideline because of capital expenditure is **8.50%**. This increase is for the following capital expenditure:
 - a. Parking Garage Repairs.
2. Where the Landlord's application requests an increase of 10.08% the maximum increase above the guideline for these units is **8.50%**. This increase is to be taken as follows: 3.00% in the first year, 3.00% in the second year, and 2.50% in the third year.
3. The weighted useful life for the capital expenditure is 13 years.
4. The first effective date of the rent increase above the guideline is September 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by **8.50%** 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 3.00% within the period of September 1, 2024, and August 31, 2025;
 - b. The Landlord may increase the rents charged by 3.00% within the period of September 1, 2025, and August 31, 2026; and
 - c. The Landlord may increase the rents charged by 2.50% within the period of September 1, 2026, and August 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 **120 days** of the date of this order.

PBrewster

May 22, 2026
Date Issued

Pauline Brewster
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 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 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%. On or before August 31st of each year, the government will announce the guideline for the following year.

Schedule 1 - Units affected by this Order:

102	306	505
104	307	506
106	308	507
108	309	508
201	401	509
203	402	601
204	403	602
206	404	603
207	405	604
208	406	605
209	407	606
301	408	607
302	409	608
303	501	609
304	502	
305	503	

Schedule 2 - Tenants who are Affected by this Order:

Aglukark, Attangalaaq Elizabeth
Aubie, Erica
Bell, Liam John
Bews, Richard
Bhuiyan, Suraiya
Boisvert-Gagnon, Brigitte
Brillinger, Eli
Carter, Megan
Chapman, Jonathan
Dalrymple-Churgin, Ruth
Davidson, Mitchell
Davis, Grahame
De Montigny, Joanne
Ding, Mingzhi
Eglite, Ilze
Ethier, Philippe
Farkas, Andrea
Fleming, James
Fleming, Matthew
Gholizadeh, Fatemeh
Gomez, Maria Margarita
Guay, Jacqueline
Hajdas, Olivia
Hamilton, Harold
Heydrich, Daniel
Heydrich, Tim

Islam, Anik
Johannes De Vos, Dirk
Kaj, Benita
Koopmans, Margaret Ann
Krahn, Jody
Lam, William
Leeson, Richard
Manning, Natalia
McGlashon, L.
McMichael, Fredrick
Mohanadas, Suresh
Murray, Drew
Neron, Casey
Nicolas, Anthony
Page, Guy
Patel, Juhi
Pilon, Alexander
Renaud-Rosignol, I.
Shenthil, Suchithra
Son, Yoo-Jin
Stewart, Steven
Trudell, N.
Vinetsky, Ronald
Xu, Liqueun
Yin, Hao
Zhang, Yuchen

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 2024 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 2024 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.