



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

File Number: LTB-L-034436-25

In the matter of: 555 Park Road North, Brantford, Ontario, N3R
0B4

Between: Skyline Living Landlord

And

Refer to attached Schedule 2 Tenants

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.

This application was resolved by written hearing. The Board received submissions from the Landlord and the Tenants: Helga Marxmeier – Unit 119, Martha Pace – Unit 312, Karen Gibbon – Unit 322, Edward Salvatore and Linda Salvatore – Unit 417, Carol May Hayden – Unit 422, William Mead – Unit 422, Lorraine Snoddy and Richard Snoddy – Unit 516, Phyllis Lemon – Unit 615, Suzanne Keating – Unit 616, William Robertson – Unit 616, and George Wingfield and Marlene Wingfield – Unit 616.

It is determined that:

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 0.15 %. This increase is to be taken in the first year.
3. The first effective date of the rent increase above the guideline is August 1, 2025.

Maintenance

4. The Tenants residing in Units 322 and 422, submit that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. Since moving in, there has been a decline in cleanliness of the building and a decline in maintenance.
 - b. Clothes dryer has not been working for 3 weeks.
 - c. Maintenance can take days to weeks to address items requiring repair.
5. 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 Tenants, 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(s) is entitled to file their own applications at the Board in respect of these issues.

Financial Hardship

6. The Tenants residing in Units 119, 312, 315, 322, 417, 422, 516, 615, and 616 submit that the Board should consider financial hardship to Tenants caused as a result of any increase granted citing that they are on a fixed income
7. Pursuant to subsection 205(2) of the *Act* where the Board makes an order for a rent increase above the guideline and that order is made more than three months after the first effective date of a rent increase in the order, the Board may permit a tenant to pay the Landlord the amount owing in monthly instalments.
8. Given that this order will issue more than three months after the first effective date of the above guideline rent increase herein, I am permitting the Tenants residing in Units 119, 312, 315, 322, 417, 422, 516, 615, and 616 to pay any amounts owing to the date of the order in 6 monthly installments starting 30 days from the issuance date of this Order.
9. As always, if the Landlord is amenable to a longer repayment plan for those Tenants facing financial hardship that remains within the Landlord's discretion.

Out of Scope Submissions

10. The Tenants residing in Units 322, 417, 422, 516, and 615 made submissions on matters which, while I understand are important to the Tenants, are not matters which the *Act* permits me to consider on the hearing of this application. The issues raised by the Tenants which are not pertinent to my findings here are as follows:

- a. The validity of Notice of Rent Increases received by affected Tenants.
 - b. Whether the Landlord could / should have allocated their rental revenue to cover these and other costs.
 - c. Whether the Landlord's employees are bonded since they have access to the Tenant's apartment.
 - d. That the Tenant believes that the costs should be borne by the Landlord and not passed onto Tenants or used to penalize established Tenants.
 - e. That parking and storage fees should not be lumped into any increase.
 - f. A lack of security at the residential complex.
 - g. That the Landlord may still afford to pay out yearly gains / dividends to investors.
11. The legality of the Tenants N1 forms or even challenges to the lawful rent are not issues that are properly before the Board when it is considering a landlord's L5 application. After an order is issued granting an L5 application, a landlord is entitled to demand that the tenant pay the approved above guideline rent increase only if the landlord has served the tenant with a valid N1 Form seeking the above guideline rent increase.
12. If a landlord has failed to serve N1s in the relevant time period then that becomes relevant to any dispute between the parties as to how much rent is outstanding. However, validity of the N1 Forms are not relevant to the L5 application itself. If the Tenants end up paying what they feel is illegal rent because they believe that the N1 form was invalid then they can file the appropriate application with the Board. If they refuse to pay an amount demanded by the Landlord as a result of the Board's order on the L5 application the Landlord may bring applications for arrears of rent at which point the Tenants have the opportunity to argue that the N1s are invalid and the lawful rent is different than the Landlord is demanding. But none of that is properly the subject of a hearing of an L5 application.
13. Although the Tenants may feel it is unjust, the Board is a creature of statute charged with applying the law as written. Section 126 of the Act specifically provides that a Landlord may apply for an AGI for an extraordinary increase in the cost for municipal taxes and charges for the residential complex or any building in which the rental units are located. This application does not contain any claimed capital expenditures. The Board cannot stop the Landlord from exercising its right to apply for an above guideline rent increase.

It is ordered that:

1. The Landlord may increase the rents charged by 0.15 % 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 August 1, 2025, to July 31, 2026.

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 shall pay to the Tenants any sum of money that is owed as a result of this order within 60 days of the date of this order.
5. The Tenants residing in units 119, 312, 315, 322, 417, 422, 516, 615, and 616 shall pay any amount owing to the Landlord as a result of this order in 6 monthly installments, beginning 30 days from the issuance date of this Order.
6. For all other Tenants, they shall pay to the Landlord any sum of money that is owed as a result of this order within 60 days of the date of this order.

May 29, 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 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

555 Park Road North, Brantford, Ontario, N3R 0B4

103	132	225	320	416	512	607	706
105	203	226	322	417	513	611	707
106	205	227	323	418	514	612	708
107	206	303	324	419	515	613	711
108	207	304	325	420	516	614	712
111	208	305	326	422	517	615	713
113	211	306	327	423	518	616	714
114	212	307	403	424	519	617	715
115	213	308	404	425	522	618	716
116	214	311	405	426	524	619	717
117	217	312	406	427	525	620	718
118	218	313	407	503	526	622	719
119	219	314	408	505	527	623	720
120	220	315	412	506	603	624	722
121	222	316	413	507	604	626	723
130	223	318	414	508	605	703	724
131	224	319	415	511	606	705	727

Schedule 2 - Tenants who are Affected by this Order:

Abbott, Victor	Eastmond, Ramon	Law, Anne Marie
Adamowicz, Jan	Eby, Anthony	Lee, Bradley
Adamowicz, Lucja	Eggleston, Linda	Lemmon, Christopher
Ashby, Brenda	El Defrawy, Mayar	Lemon, Phyllis
Austin, Catherine	English, Mary	Locche, Albino
Baluk, Ashley	Enyedi, Helen	Locche, Maria
Beckham, Rina	Evans, Dale	Long, Ralston
Beckham, Robert	Fennema, Tiffany	Luce, Robyn
Blais, Denise	Ferguson, Kenneth	Mahy, Brian
Boiago, Elizabeth	Fiolet, Estelle	Marshall, Kara
Bouchard, Wayne	Frisina, Alexander	Martin-Bouchard, Kathryn
Bowen, Christopher	Gadawski, Lynn	Marxmeier, Helga
Britton, Kayla	Gallo, James	Mayhar, Patsy
Brown, Doris	Gallo, Pamela	McArthur, Donna
Brown, Margot	Gee, Kaitlyn	McCready, Lorraine
Brown, Pierce	George, Meaghan	McCready, Robert
Bulanski, Emily	Gibbon, Karen	McCutcheon, Evelyn
Burns, Kelly	Goddyn, Paul	McCutcheon, William
Burns, Spenser	Goldsmith, Dorothy	Mead, William
Butler, Ann	Goldsmith, William	Medeiros, Maria
Butler, Jim	Gordon, Susan	Medeiros, Oscar
Butt, Shirley	Hagenauer, Albert	Mendes, Ashley
Calce, Kristina	Haggerty, Joanne	Miteva, Albena
Challen, Jocelyn	Hammond, Edwin	Nelson, Murray
Charlton, Margaret	Harrison, Samantha	Office, Skyline
Clarke, Stephen	Haslett, Suzanne	Olivieri, Emanuele
Corman, Lindsay	Hayden, Carol May	Olivieri, Martha
Cornfoot, Donald	Hayes-Earle, Lynn	Oprey, Darlene
Cornfoot, Leslie	Hill, Teresa	Osasuyi, Ironmwan (Kevin)
Couves, Carole	Hiscock, Bruce	Oseghale, Mathew
Craig, Joan	Hiscock, Karen	Pace, Martha
Craveiro, Jacqueline	Hung, King Yu	Patterson, Ruth
Cunningham, Catherine	Hunter, Cameron	Patzalek, Anthony
Curry, Matthew	Hutcheon, Brian	Petrucci, Michele
Curry, Melissa	Hutcheon, Susan	Plant, Barbara
Dash, June	Kaus, Mary	Potts, Zena
Dash, Raymond	Kaus, Robert	Prowse, Constance
Dean, Chanda	Keating, Suzanne	Rak, Michael
DeForest, Shelby	Kelly, Barry	Ramsden, Lynda
Detrick, Michael	Kelly, Cheryl	Ramsden, Ronald
Dubois, Michael	Khan, Muhammad	Ranger, Eleanor
Duke, Edith	Kotarba, Danuta	Redonda Sanchez, Luis
Duke, Frederic	Lam, Russell	Angel
Earle, William	Laukys, Nijole	Reed, Cheryl

Reed, Gordon
Reid, Susan
Richards, Dan
Rivera Rosario, Rinelida
Robertson, William
Robinson, Wray
Rogers, Nancy
Rutledge, Margaret
Rutledge, Robert
Salvatore, Edward
Salvatore, Linda
Santillana, Raesha
Schreiber, Tracey
Schuetz, Esther
Schuetz, Mark
Seifert, Lacey
Shouldice, William
Sidhu, Karaminder

Simpson, Rosemary
Simpson, William
Sloat, Diane
Smith, Patricia
Snoddy, Lorraine
Snoddy, Richard
Song, Zhihai
Soriano, Linda
Soriano, Nick
Stewart, Cheryl
Stieva, Cornelia
St-Pierre, Jean-Marc
Taylor, Eleanor
Tran, John
Tran, Thi Kim Uyen
Turner, Kate
Vandenheuvel, Nellie
Van Dyk, Annemarie

Van Sickle, Judith
Van Sickle, Lance
Waguespack, Dwain
Waguespack, Nancy
Watt, Hugh
Watt, Margaret
Webber, Don
Webber, Judy
West, Scott
White, Jaynie
Wingfield, George
Wingfield, Marlene
Winter, Janet
Withenshaw, Brianne
Young, Timothy
Yuile, Michelle
Yuile, Robert