



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

File Number: LTB-L-010922-26

In the matter of: 1146 MONTREAL ROAD, CORNWALL, Ontario,
K6H 1E2

Between: Jean Claude Godard Landlord

And

Refer to attached Schedule 2 Tenants

Jean Claude Godard (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: Daniel and Roberte Desroches – Unit 504.

Preliminary Matters

The Landlord's Supporting Documents

1. The Tenants residing in Unit 504 submit that they requested all evidence to be delivered the same way the application was served, in hard copy to their door, but that the Landlord did not provide it. They submit that they had no access to the Tribunals Ontario Portal ("TOP") and that a "third-party claimed I could access the LTB portal, but I cannot". They submit that Rule 19 of the Landlord and Tenant Board Rules of Procedure requires the Landlord to serve their evidence directly on the Tenant unless both parties, agree in writing to use TOP, which they did not. They submit that the Landlord told them not email him.
2. The Tenants submits email correspondence between themselves and the Landlord. The email correspondence from the Tenant to the Landlord on March 3, 2026 sets out the Tenant's request to the Landlord for their "proof of tax amounts and payment to the City of Cornwall". The email correspondence on the same day between the Tenant and the Landlord included an email from the Landlord to the Tenant wherein the Landlord replied "Danielle, please deal with Jim and do not send me any emails in future." I note that Jim Gillett is the Property Manager.

3. The Property Manager responded to the Tenant's request for their supporting documents via email on March 4, 2026, as follows:

"All parties to the hearing are able to access information through the LTB portal.

If you look at the Notice of Written Hearing that we gave you in your information package the other day, you will see on page 2 that it says:

"IMPORTANT INFORMATION:

The application, supplementary evidence, and submissions are accessible to all parties through the Tribunals Ontario Portal. If you wish to gain access to the portal, e-mail ltb@ontario.ca or contact our call centre at 416-645-8080 or toll free at 1-888-332-3234 . In your request, reference your file number, full name, and full rental unit address. A PIN number will be sent to you along with instructions on how to create an account and link your file number.

There you can find any submissions that any parties to the hearing have made and you can add your submissions there as well."

4. In reply, the Landlord submits that they uploaded their submissions and documentation to TOP as required. They also submit that the Tenant has instructions for accessing the Portal in the Tenant package that they delivered to the Tenant. The Landlord included the instructions on how to access their application, supplementary evidence, and submissions again in their reply.
5. I note that on February 27, 2026, the Landlord filed their Certificate of Service which provides that the Tenant was served with the Notice of Hearing and related package on February 26, 2026 by placing the documents under the door of the rental unit or through a mail slot in the door. As noted, the Notice of Hearing contains information about how to access the application, supplementary evidence, in addition to how to participate in these proceedings.
6. Notwithstanding that the Tenant asked the Landlord for their supporting documents to be delivered to their door, the Tenant failed to provide any explanation as to why they "cannot" access TOP to view the Landlord's supporting documents. There is no evidence before me, such as a follow up email to the Landlord and/or property manager, that the Tenant communicated to them that they were unable/unwilling, for whatever reason, to access their supporting documents on TOP. There is no evidence before me that the Tenant attempted to obtain a PIN by contacting the Board in order to view the Landlord's documents.
7. As such, the information needed to participate in these proceedings including information on how to obtain the Landlord's supporting materials was available to the Tenant.

Application Deficiencies and the Notice of Hearing

8. The Tenants residing in Unit 504 submit that they cannot confirm whether they received the full application. They submit that the Landlord sent Schedule 1 with no page numbers and no supporting documents were provided relating to “Security Services”.
9. The Tenants submit that the Notice of Hearing did not include their unit number and therefore “a hard-copy notice or PIN sent without the unit number would not be delivered” and that they received no notice, no PIN, and cannot review the application fairly.
10. There is no evidence before me that the Tenant, if they believed that they could not review the application fairly, took any steps to contact the Board or the Landlord to clarify whether or not they received the Landlord’s full and complete application, even though the information was available to them on how to do so. As noted above, I am satisfied that the Tenants were served with the Notice of Hearing and related package, including the Landlord’s application, on February 26, 2026. The Tenants rental unit number was noted on the Landlord’s application along with the Rental Unit Information document, and Certificate of Service, as required by the Board. That the rental unit number was not noted on the Notice of Hearing does not impact whether or not a Tenant will receive a notice or a PIN.

It is determined that:

Municipal Taxes and Charges

11. 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).
12. I have accepted the Landlord’s amended application filed with the Board on February 25, 2026.
13. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.60%. This increase is to be taken in the first year.
14. The first effective date of the rent increase above the guideline is June 1, 2026.

Municipal Taxes and Charges

15. The Tenants residing in Unit 504 made submissions about certain services being covered by municipal taxes such as garbage disposal, and that any increase related to garbage “must be treated as neutral, not extraordinary”. They submit that charges relating to water and sewer are the responsibility of the Landlord according to their lease which states the Landlord pays for water and sewer. The Tenant included a page of their tenancy agreement wherein it notes that water and sewer rates are to be paid by the owner. Lastly, they submit that they cannot properly review the application or verify whether municipal charges include inspections, maintenance standards, emergency repairs, water consumption, penalties, liens, or new garbage related contracts.
16. For clarity, municipal taxes and charges include charges levied on a landlord by the municipality, which may include charges related to garbage disposal. I have reviewed the Landlord’s final tax bills for both the Reference (2024) and Base Year (2025) and am satisfied that the claimed amounts do not include charges pertaining to water and sewer rates and related charges, municipal inspections related to a breach of a health, safety, housing, or maintenance standard, penalties, interest, late payment fees, and fines, and any other non-eligible charges.

The Calculated Increase

17. The Tenants residing in Unit 504 submit that the Landlord has not demonstrated an extraordinary increase in municipal taxes and charges and therefore their application should be dismissed. They argue that because the City of Cornwall’s residential tax rate increased by only 3.67% from 2024 to 2025, and that they calculated the threshold for an extraordinary increase to be 3.75%, that the Landlord failed to demonstrate that they qualify for an above guideline increase.
18. The Tenants submit that the Landlord’s tax amounts in the application are incorrect since the MPAC assessments for other units, which are the same as their unit, and the tax rate do not correspond to the tax amounts listed in the Landlord’s application.
19. When the Landlord submits their application for an extraordinary increase in municipal taxes and charges, they must submit their final tax bills for both the Reference Year and Base Year claimed in their application, along with the proof of payment of those final tax bills. I have reviewed the Landlord’s application and supporting documents and I am satisfied that the Landlord has done so in this instance. MPAC assessments for other units are not relevant and cannot be considered. For clarity, the Board considers whether there was an extraordinary increase in municipal taxes, as described in this Order above, and calculates the increase in accordance with the Rules set out under s. 29 of O. Reg. 516/06.

It is ordered that:

1. The Landlord may increase the rents charged by 0.60% 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 June 1, 2026, to May 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.

June 19, 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%.

Schedule 1 - Units affected by this Order:

1146 MONTREAL ROAD, CORNWALL, Ontario, K6H 1E2

504

Schedule 2 - Tenants who are Affected by this Order:

Desroches, Daniel

Desroches, Roberte