

SOL-40297-13-DN Presentation Notes

Section 1: Fire System Repair; 27 July 2012; 15 years; \$90,145.76

Information hidden in about 25 pages of irrelevant cancelled cheques (1/4 of the application).
Project crosses ownership lines.

#1 Starlight History ... Took possession June 2012

Project started by Transglobe and completed by Starlight

#2 Payment Summary ...

Checking each amount leads to only 3 cheques written by Starlight. (#2 Page 2)
Transglobe paid \$61, 895.75 before Starlight took over
Starlight paid only \$28,250.01 of the total cost.
Claim should be reduced.
RTA part 234.v and 238.2 might apply.

Section 2: Roof Safety Anchor; 22 August, 2012; 20 years; \$16,249.63

This is should be a sub item of #3 and would not have been done except for #3.

Does not fit into part 126.7 ...

The anchors themselves contribute nothing to the physical integrity of the building.

No proof of need, no engineering reports, no inspection orders...
Burden of proof is not met.

Section 3: Building Exterior and Balcony repair; 9 May 2013, 13 years, \$662,278.35

Timeline...

Building was first listed in city directories in 1965.

I moved in July 2, 1984

Major reconstruction conducted in late 1990s.

Balconies redone in 2000

Tenant group obtained a tribunal order.

Work was extensive, slabs cut back, new cement, repairs to guards, paint.

Transglobe takes over in 2007

#3 Pretium Report, July 24, 2008 ...

Commissioned by TransGlobe.

10% of Decks need some repair, for spalled and delaminated areas.

Railings in fair condition, repairs and refinishing required.

Railings did not meet code.

Railings replacement at discretion ... not recommended as necessary.

Nothing in the report compels complete teardown and replacement.

Nothing in the Building Code (O. Reg. 332/12) compels a landlord to retrofit a building just because the code has changed.

#4 Valley View, August 2009 ...

Building in fairly good condition, no evidence of gross breakdown.
TransGlobe signs visible on property.

#5 Notice of repair, May 7, 2010...

Work was extensive continuing throughout the summer.
Balcony slabs were cut back approx 8 inches and reconstructed.
Guards were repaired as needed and painted.
After repairs, slab edges were sharp and smooth, railings were rigid and nicely finished.

#6 Notice of repair, May 30, 2011...

Work was minor, adding small plastic guards to openings that did not meet code.

Also in 2011, work done on front face of building. Rows of bricks removed and wall anchors were installed. Tenants were not notified of this work.

#1 Starlight assumes control, June 2012...

Now things start happening very quickly...

#7 Letter from Grgas to Ken Shelley, July 9, 2012...

Dated 3 weeks after Starlight took control.
Letter is a reply, prior conversation had taken place.
Shows that work was a "go ahead", already decided.
No investigation was conducted.

#8 Valley View, July 2012...

Building in relatively good condition.
Evidence of 2011 brickwork can be seen at each floor in the photo
Balcony condition was excellent, perhaps the best I'd seen
Railings were rigid, straight, complete, well mounted, nicely painted.
Slabs in good condition, edges were sharp, clean, with no spalling.

#9 Notice of repair, November 29, 2012 ...

This took us totally by surprise.
Common discussion among tenants is why this is even necessary.
Our balconies did not suddenly fall apart after the two rounds of work.
This work was truly extensive.
Our balcony doors were sealed shut in early December.
The old railings were cut away from the building almost immediately.
The slab edges were cut back by approximately 16 inches.
New cement was poured.
The entire exterior of the building was painted.
After winter break the new railings were affixed to the building.
We were without access to our balconies for an average of 8 months.

First notice of hearing received in early March 2014, also a complete surprise.

#10 Valley View, August 2014...

Shows new appearance of building.
Whole building makeover.

#11 Valley View, June 2015...

#12 Valley View, Close up...

Shows current state of building.

Paint is chalking away from glazed brick skin
Glass panels are missing.
Balcony edges are deteriorating.

Hard to see this as an improvement when the old steel balconies stood for 47 years without significant deterioration.

#13 Starlight Gallery...

At least 18 other Starlight buildings done exactly the same way.
Google Earth History shows the time span is late 2011 to mid 2013,
Coincides with Starlight taking control.
What are the odds of all those buildings needing the same work at the same time?
Corporate branding, vanity run amok.

Issues...

Evidence:

Pretium report is rendered non-applicable by work in 2010 and 2011.
Any new evidence since last hearing is deeply suspect due to timing.
Fast pace precludes getting a new engineering assessment.

Building code:

The old balconies were made of good quality steel.
Steel is easily modified, added to, cut, reshaped.
Compliance would be easier and more economical without replacement.
No proof the balconies were not compliant after 2010 and 2011.
Building code does not compel retrofits... that takes an inspector's order.
No inspector's order tendered in evidence.

RTA 126.8 applies:

After 2010 and 2011 renovations, there was no longer any need to replace the balcony guards or cut back the slab edges.

Paint:

Exterior skin is ceramic brick, maintenance free, never needs painting.
Nothing sticks to it, paint already peeling. (#12)
Paint was pure cosmetics.

The job was presented to Grgas as a "go ahead".
They had already decided to do the work.

Corporate branding:

In the period from late 2011 to late 2013 they redid 20 buildings all the same.
Starlight was literally hemorrhaging money.
AGIs are an attempt to recoup money from tenants.

Burden of proof is not met.

Alternative probabilities render this claim deeply suspect.

Section 4: Common Area Painting; 23 December, 2012; 10 years; \$32,063.75

Work was entirely cosmetic in nature.
No refurbishment or repair was performed.
Part of whole building makeover.

#14 Notice of Hearing SOL-26605, September 16, 2010...

Item #1, Common area corridor renovations ...
Completion 31, October, 2008 , 10 years, \$157,983.00
This work included two coats of paint.

#15 Order SOL-26605, 1 October 2010...

Resolved by mediation.
No items removed or debated separately.

Section 5: Replace Exhaust Fans; 7 May 2012; 20 years; \$2556.63

#16 Additional Details...

Entire project predates Starlight's control of the building.
Paid for by Transglobe.
RTA part 234.v and 238.2 might apply.

Section 6: Garage Entrance Repair; 20 June 2012; 20 years; \$12,725.63

#17 Garage Entrance...

Replaced siding with clear vinyl, painted the inside of the roof.
Work was never completed.
Decaying roof left untouched.
Work done was purely cosmetic in nature.. curb appeal.
No proof of need for 126.7

Section 7: Exterior Painting; 15 March 2013; 10 years; \$2,648.72

Paint applied to retaining wall.
Purely cosmetic, contributes nothing to integrity
No proof work was necessary.
Does not fit in 126.7

Section 8: Drain Repair; 20 June 2013; 20 years; \$1,130.00

Maintenance.
No proof of need per part 126.7

Section 9: Signage; 30 July 2013; 15 years; \$6,633.14

#18 Starlight Sign....

Does not fit into part 126.7
Provides no structural advantage

#14 & #15 SOL-26605...

Item 6; December 31, 2008; 15 years; \$18,507.79

Tenant information per 126.4 and OReg 513/06.23

#19 ... Notice of hearing, Fifth page

Improper provision of information to tenants

The stated method is to obtain a copy from the building office.

Tried repeatedly from beginning of March to late August 2014 and was not successful in acquiring a copy of the application with submissions.

Superintendent claimed no knowledge of the document or the proceeding.

I was finally able to acquire a copy on Sept 3, 2014 by contacting Mr. Cappa via telephone.
He sent me a PDF copy by email.

Because of unusual acquisition, received document needs to be verified as authentic.

Since then, up to the first week of Sept 2015, document has never been available through the office.

Any tenants in the building who have seen or have copies of this document will have done so through me, and not through the landlord.

Anyone not going through me would be unable to obtain or view the document.

Tenants Exempt from some sections...

#20 Schedule of exemptions...

Based on occupancy dates some tenants should be exempt from some sections of the application.

ABOUT US

[Home](#) | [About Us](#) | [Our History](#)[WHO WE ARE](#)[OUR HISTORY](#)[EXECUTIVE TEAM](#)[IN THE COMMUNITY](#)

OUR HISTORY

Starlight Investments Ltd. was founded in 2011 by Daniel Drimmer, a third generation real estate investor and a proven leader in the real estate sector with more than 18 years of Canadian real estate experience.

Prior to Starlight's creation, Daniel Drimmer formed TransGlobe Property Management Services Ltd. in 1995 and grew its portfolio from only a few residential real estate assets to the third largest multi-family owner in Canada. Between 1995 and 2009, the total number of multi-family units under management at TransGlobe Property Management Services Ltd. grew at a compounded annual growth rate of approximately 44% to over 30,000 multi-family units and one million square feet of commercial space.

Following the success of TransGlobe Property Management Services Ltd., Daniel Drimmer founded TransGlobe Apartment Real Estate Investment Trust and completed its initial public offering in May 2010. Initially, Transglobe REIT's assets were externally managed by an affiliate of Daniel Drimmer. On September 1, 2011, TransGlobe REIT proceeded to internalize property management. Following TransGlobe REIT's internalization, Daniel's new company and asset management platform, Starlight Investments Ltd., was launched.

On June 29, 2012, Starlight privatized TransGlobe REIT, through a consortium of co-investors for a total return to IPO investors of 60%.

During the past 18 years, Starlight and its predecessor companies have acquired, operated and sold in excess of 75,000 multi-family units valued at over \$9 billion. Over this period, we have earned a reputation for identifying accretive acquisitions and unlocking value through our hands-on disciplined and innovative approach to asset management.

Who We Are
Our History
Executive Team
In the Community

GALLERY
OUR APPROACH
PROPERTY MANAGERS
Multi-Family Canada
Multi-Family U.S.
Commercial

TN Apartment REIT
TN Commercial REIT
Starlight U.S. Multi-Family
Core Fund
Starlight U.S. Multi-Family
(No. 2) Core Fund
Starlight U.S. Multi-Family
(No. 3) Core Fund
Starlight U.S. Multi-Family
(No. 4) Core Fund

NEWS & MEDIA
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T: 416 234 8444
F: 416 234 8445
E: info@starlightinvest.com

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CAPITAL EXPENDITURES: ADDITIONAL DETAILS

P. 1/1

Item and description of work: #1 - Fire System Repairs	Total labour, material & contract costs claimed in application for this item (not including landlord's own labour)*: \$90,145.76										Date completed:	July 27, 2012
<u>Contractor/Supplier</u>	<u>Invoice Number</u>	<u>Invoice/ Bill Date (mm/dd/yy)</u>	<u>Invoice/ Bill Amount</u>	<u>Method of Payment</u>	<u>Cheque Number</u>	<u>Payment Amount</u>	<u>Payment Date (mm/dd/yy)</u>	<u>Amount related to this item</u>				
BAS Fire Protection Services	9673	1/20/2012	\$1,050.90	Cheque	515	\$1,050.90	2/16/2012	\$1,050.90				
BAS Fire Protection Services	9736	4/17/2012	\$17,735.36	Cheque	519	\$17,735.36	5/2/2012	\$17,735.36				
BAS Fire Protection Services	9774	6/13/2012	\$33,764.40	Cheque	5150	\$33,764.40	6/20/2012	\$33,764.40				
BAS Fire Protection Services	9792	7/4/2012	\$22,509.60	Cheque	5680	\$22,509.60	7/10/2012	\$22,509.60				
BAS Fire Protection Services	9721	4/2/2012	\$2,457.75	Cheque	4728	\$8,322.45	5/4/2012	\$2,457.75				
BAS Fire Protection Services	9724	4/3/2012	\$1,808.00	Cheque	4728	\$8,322.45	5/4/2012	\$1,808.00				
BAS Fire Protection Services	9732	4/13/2012	\$1,356.00	Cheque	5216	\$1,356.00	6/21/2012	\$1,356.00				
BAS Fire Protection Services	9807	7/27/2012	\$9,463.75	Cheque	108	\$9,463.75	10/12/2012	\$9,463.75				
Total												\$90,145.76

Payments for Item 1, Fire System Repair.

Transglobe

Cheque	Page	Amount
5150	17	33,764.40
5680	20	22,509.60
4728	24	2,457.75
4728	28	1,808.00
5216	32	1,356.00
		=====
Total		61,895.75

Starlight

Cheque	Page	Amount
515	11	1,050.90
519	14	17,735.36
108	35	9,463.75
		=====
Total		28,250.01

Balances

Starlight	28,250.01
Transglobe	61,895.75
Total	90,145.76
Claimed	90,145.76
Difference	0

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PRETIUM
Engineering & Construction

320 Woolwich St. S., Breslau, ON N0B 1M0 • Tel: 519-648-3526 • Fax: 519-648-3165 • Email: info@pretiumeng.com



**Property Condition Report
165 Ontario St.
St. Catharines, Ontario**

Prepared for:



TransGlobe
Property Management Services

5310 Explorer Drive
Mississauga, ON L4W 3H8

Attention: Mr. Daniel Drimmer, M.A., M.B.A.

July 24, 2008
Project: 80-13-089426



Professional Engineers
Ontario

This report was prepared by Pretium Engineering & Construction, Inc. (Pretium) for the use of the client. The report is intended to provide information only and does not constitute a warranty or guarantee of any kind. Pretium is not responsible for any errors or omissions in this report.



2.2.3. Balconies

Description

Deck	
Structure	Front and rear – cantilevered reinforced concrete slabs Sides – partially cantilevered reinforced concrete slabs
Waterproofing	None

Guards	
Description	Steel frames with solid panels at front and vertical steel pickets at sides
Anchors	Cast into slabs
Photographs	B22, B23, B24, B25, B26, B27

Observations

1. Delamination and spalling was observed on the top sides of approximately 10% of the balcony slabs.
2. Narrow cracks on the top of the balcony slabs running perpendicular to the building were typical. There was generally little evidence of water movement through the cracks. The cracking appears to be positioned at the steel reinforcement and is likely thermally induced.
3. Evidence of previous repairs was observed on the balcony slabs. It was reported that the repairs took place in 2000.
4. The slab soffits have cast drip edges. Peeling paint was observed at the edges and on many balconies past the drip edges to approximately 12" from the edge.
5. The balcony guards are approximately 42" in overall height. The tops of panels are approximately 33-1/2" in height and the opening between the panel and the top rail is approximately 3". The picket spacing at the sides of the guards is 5". The guards are considered climbable (36" minimum to top of panel) and the picket spacing and opening at the top rails exceeds the allowable size (4").
6. The paint finish on the guards and privacy panels is weathered and peeling. Surface corrosion was observed throughout and severe corrosion was noted in a few locations.

Discussion and Recommendations

The balcony decks were generally in fair to good condition. The cracks appear to be at the reinforcing steel. They appear to be thermally induced. The cracks are not a structural concern at this time. Repairs to the spalled areas should be completed. The cracks should be routed and sealed in the near future. If left as-is, concrete deterioration will continue and extensive repairs will eventually be required. Consideration could be given to waterproofing the balcony slab subsequent to the concrete repairs.

The balcony guards are in fair structural condition. Repairs and refinishing the guards will be required in the near future. The guards do not meet the dimensional requirements of the current Building Code. Complete replacement of the guards is at the discretion of the Owner, but should be considered.

The lower panel on the guards covers the balcony slab edges. This will trap debris and moisture and lead to accelerated deterioration of the guard panel and balcony slab. Modifying or completely replacing the guards could be considered.

2.3. Roof Systems

Main Roof

Location	Main
Type	Flat
Estimated Age	20 years
System	Conventional (membrane above insulation)
Protection	Pea gravel
Membrane	Multi-ply built-up asphalt/felt membrane
Insulation	Unknown
Vapour Retarder	Unknown
Deck	Concrete slab
Drainage	4 internal drains
Flashing	Painted metal
Photographs	B28, B29, B30, B31, B32, B33

Observations

1. No destructive testing was conducted; therefore, the exact composition of the roof assembly is unknown.
2. The main roof is divided into two sections by a roof curb.
3. The west end of the roof and the Penthouse roof appear to be older. Ponding, scouring, patching, exposed felts and blisters were observed.
4. Evidence of water leakage was observed on the corridor and suite ceilings at the west end of the building. Evidence of water leakage was also observed at the expansion joint.
5. The balance of the roof appeared to be in better condition, although it appears to be approaching the end of its useful life.
6. There is an expansion joint on the roof. The flashings at the joint are in poor condition and are debonded at laps in the flashing.
7. The masonry chimney has been repaired. The repairs used mismatched brick units wherein two different colours of brick were used.

Valley View Apartments August 2009
Source: Google Earth History

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May 7, 2010

IMPORTANT NOTICE TO RESIDENTS

165 ONTARIO STREET

Dear Residents:

RE: BALCONY RESTORATION/PAINTING/BRICK AND CONCRETE REPAIR

TransGlobe Property Management Services is pleased to announce that we will soon begin restorative work on the exterior of the building. This work is necessary preventative maintenance as it is required to protect the physical integrity of the complex.

This project will involve balcony restoration on a small number of units, brick and concrete repair around the outside of the building and painting where required.

We will work with our contractor and consultant and make every effort to complete these upgrades in an efficient manner.

In addition, there will be times when our contractor must use power tools to complete their work. The use of this equipment does produce noise which is unavoidable however you will be notified well in advance of this work. Although we will take steps to minimize this disruption and inconvenience, there may be times when the noise can be heard in your apartment.

We will make every effort to communicate regularly via notices and schedules posted on a temporary communication board that will be set up in the building lobby.

In the event you have specific questions or concerns relating to these upgrades that are not addressed in our updates, you are free to contact me directly at 905-672-1100 ext 1322.

Yours truly,
TRANSGLOBE PROPERTY MANAGEMENT SERVICES

Suzanne Jong
Property Manager



TransGlobe

Property Management Services

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Head Office
5310 Explorer Drive
Mississauga, ON
L4W 5H8

**24 HOUR NOTICE OF ENTRY
INDIVIDUAL SUITE**

IMPORTANT MEMO:

DATE: Monday May 30/11

RE: 24 HOUR NOTICE OF ENTRY

SUITE #: 801

You are hereby advised that the Building Representative and/or Property Manager will be entering your suite on:

For the following reason(s): to finish balcony repairs
& fire alarm inspection

This will take place between the hours of:

9:00 am and 5:00 pm

Pursuant to this notice, the landlord respectfully requests that all chains, alarm systems and .or secondary/private locks are left unlocked and all pets are secured in order to facilitate access to your suite.

This notice is given in accordance with the provisions of applicable residential tenancy legislation.

Thank you for your co-operation.

TransGlobe Property Management Services

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Grgas Associates Limited

STRUCTURAL RESTORATION
BUILDING SCIENCE
PROJECT MANAGEMENT
DUE DILIGENCE INSPECTIONS
ROOFING AND THERMOGRAPHY
BUILDING CONDITION ASSESSMENTS

Via email

July 9, 2012

GRGAS Project #09039.06

Starlight Investment Management
401 The West Mall, Suite 1100
Toronto, ON M9C 5J5

Attention: Mr. Ken Shelley
Project Manager

Re: 165 Ontario Street – St. Catharines, Ontario
**Proposal to Provide Engineering Services for
Building Envelope Renovations**

Dear Mr. Shelley,

Thank you for your invitation to submit a fee proposal to provide engineering services related to the repair and renovation of the exterior building envelope at the above-captioned property. We understand that the scope of work will include the following:

- Replace existing balcony guards with new glass/metal guards
- Repair deteriorated brick and mortar as required
- Recoat the brick, concrete shear walls and concrete slab edges
- Balcony concrete slab edge repairs where required

The budget for the above work has yet to be established.

The design and tender documents will be completed this calendar year. The work will be tendered in 2012.

1.0 SCOPE OF SERVICES

Grgas Associates Limited (**GRGAS**) and/or its sub-consultants will perform the following services in relation to the items listed above:

1. Scope of Work and Tender Documents

- a. Review of site to become familiar with site conditions
- b. Preparation of tender documents adequately describing the work.
- c. Drawings will not be prepared for this project

2. Tendering, Tender Review and Recommendation of Award

- a. Prepare instructions to bidders and pre-qualify potential contractors for bidder's list.
- b. Tender the work to qualified contractors.
- c. Conduct site walk-through meeting with approved bidders to briefly describe work and to familiarize bidders with site.
- d. Answer any questions that may arise during the bidding period.
- e. Issue addenda as required, if required, during the tender period.
- f. Review tenders received and clarify any questions or concerns that we may have with the submitted bids.
- g. Check references of lowest bidders, if required.
- h. Recommend to the Owner which bidder, if any, should be awarded the Contract.

3. Construction Review and Contract Administration

- a. Prepare and administer the construction contract(s) which is assumed to be the CCDC2-2008.
- b. Attend a pre-construction meeting with Owner and successful Contractor(s).
- c. Advise the Owner as to the engagement of independent testing firms to test material quality, where required (the Owner will retain these services directly and they are not included in our fees).
- d. Site visits to periodically review contractor's work for general conformance with the contract documents
 - i. Site review reports will be submitted for each site visit
- e. Periodic progress construction meeting as required
- f. Review of reports by independent inspection and testing firms regarding construction.
- g. Review Contractor's monthly invoices and issue monthly Certificates of Payment for work satisfactorily completed.
- h. Issue Contemplated Change Notices, Site Memorandums, as required, to change or clarify the scope of the Contractor's work.
- i. Prepare Change Orders affecting the work.
 - i. Change Orders will not be issued until the Owner signs them.
- j. Issue Certificate of Substantial Performance, when **GRGAS** and the Owner are satisfied that the Contract has been satisfactorily performed.

2.0 SCHEDULE OF FEES

For the scope of services outlined above in this proposal, we propose a lump sum fee of \$5,000.00 for items 1.1 and 1.2 combined. For item 1.3 our fee will be equivalent to 3% of the final construction contract value (both values exclusive of HST). Fees include normal disbursements but exclude the HST. We have assumed normal working hours when preparing our fee proposal.

3.0 CLOSING REMARKS

If you find this proposal acceptable, please provide a purchase order number. If you have any questions or concerns, please call me.

Yours very truly,
GRGAS ASSOCIATES LIMITED



Nikola (Nick) A. Grgas, P.Eng.
President



9



1 Longbridge Rd.
Second Floor
Thornhill, ON
L4J 1L4

Tel: 905-763-1400
Fax: 905-763-7446

RE: 165 ONTARIO ST BALCONY REPAIRS

Attention All Tenants

Please be advised that starting on Monday December 3, 2012 contractors will be mobilizing/preparing to start the repairs of all balcony railings and necessary concrete repairs. When access is required to your individual units, Notices of Entry will be provided.

At that time all tenants are asked to empty their balconies NOW so the contractor can assist to me the necessary repairs. You will have NO ACCESS to your balcony until the work is complete.

All measures are being taken so that the work will be completed in a very safe and timely manner. But **PLEASE EXERCISE CAUTION** when entering/exiting the building due to overhead work.

This necessary work is being done to improve the aesthetics, integrity and enjoyment of our building.

If you have any questions; please contact you Building Representative.

Thank you for co-operation

Yours truly,
By its Authorized Agent and Manager
Berkley Property Management Inc
Per:

Inna Smakovsky
Property Manager

Valley View Apartments August 2014
Source: Roanne Sequin (tenant)



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Valley View Apartments June 2015

Source: Google Earth



Valley View Today : Closeups

Source : Catharine Davies (tenant)

Broken glass panel (front)



Paint loss (north side)



Paint loss (north side)



Paint loss (north west corner)



Paint loss (north side front section)



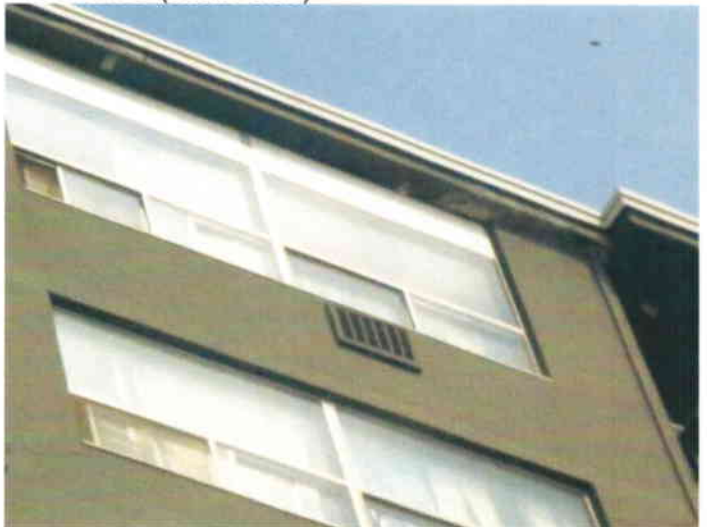
Paint loss (west side front section)



Paint loss (south side)



Paint loss (south side)



Balcony edge (front)



Starlight Gallery Images

<http://www.starlightinvest.com/gallery/>

60 Exiter Rd. Ajax



120 Raglan Ave. Toronto



130 University Ave W. Toronto



297 Queens Ave. Oakville



350 East Mall Etobicoke



765 Steeles Ave. W. Toronto



1080 Kingston St. Toronto



1315 Silverspear Rd. Mississauga



4190 Bathurst St. Toronto



4340 Bathurst St. N. Toronto



555 West Mall Etobicoke



59 Concession St. Cambridge



33 Herkimer St. Hamilton



155 Market St. Hamilton



739 Birchmount Rd. Scarborough



836 Talwood Dr. Peterborough



380 Gibb St. Oshawa



2250 Homeland Mississauga



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File: SOL-26605

NOTICE OF HEARING

Under Section 174 of the *Residential Tenancies Act, 2006*

The Landlord and Tenant Board has scheduled a hearing

between: **Trinity 165 Ontario Inc C/O Transglobe Property Management**
and: **Tenants as listed in the Schedule of Parties (Respondents)**

concerning the residential complex located at:
165 Ontario Street
St Catharines, ON L7R 5K4

Purpose of the hearing:

The landlord has filed an application with the Landlord and Tenant Board for a rent increase above the guideline. A copy of the application is attached to this notice. The Board will hold a hearing to make a decision about the application.

Hearing time and place:

When: Thursday, September 16, 2010 at 11:00 AM
Where: Niagara (Room A), Ground floor entrance at 150 King Street,
(MTO building, 301 St. Paul Street),
St. Catharines, ON L2R 7R4
You must arrive at 10:30 AM to sign in for your hearing.

It is very important for you to attend the hearing and be prepared to proceed. If you cannot attend the hearing, you should send someone who has your written permission to represent you. If you or your representative do not attend, the Board may hold the hearing without you and you will not be sent any further notice of the proceedings.

You may also bring a lawyer or agent to represent you. If you choose to be represented, you should make arrangements for a lawyer or agent as soon as possible. If tenants in a building want to get together and appoint a spokesperson, this should be organized promptly.

A request to adjourn the hearing to a later date may not be granted and therefore, it is important that you and/or your representative are ready to proceed on the day of the hearing.

Tenants: You should review the information your landlord filed with the application before the hearing date.

- You can view the application file at the regional office listed at the end of this notice, or in some cases, arrangements can be made to view the file at another Board office.

Page 1 of 7

- The Board may have a compact disc containing a scanned version of the supporting documents filed by the landlord. You may contact the Board to ask about obtaining a copy of the disc for a fee of \$5.00.
- In most cases, the landlord must also make the supporting documents available to the tenants for viewing. See *Supporting Documents for Tenants to View* form attached to this notice for further information.

Landlord: You may have to make the information supporting your application available to your tenants for viewing. See *Supporting Documents for Tenants to View* form attached to this notice for further information.

What You Should Bring to the Hearing:

Landlords should be prepared at the hearing to present the case they have filed.

Tenants should be ready to present any evidence they have to support their case. Make sure to bring:

- three copies of any evidence you wish to use, and
- any people you want to use as witnesses.

For More Information:

If you have any questions you may contact the Landlord and Tenant Board at 416-645-8080, or toll-free at 1-888-332-3234. You may also visit our website at www.ltb.gov.on.ca.

Regional Office: Southern, 6th floor, 119 King Street West,
Hamilton, ON, L8P 4Y7

Fax: 905-521-7870 or 1-866-455-5255

Date of Issue: July 16, 2010

Supporting Documents for Tenants to View

Address: 165 Ontario Street, St. Catharines, ON.

File Number: SOL-25605

The landlord must file all their supporting documents for their Application for a Rent Increase above the Guideline when they file their application with the Board. Tenants can contact the Board if they want to view these documents. If the landlord provided a compact disc of the documents, tenants can purchase a copy of the disc from the Board for \$5.00.

If the application includes a claim for capital expenditures, then the landlord must make a copy of the supporting documents available to the tenants. See below for more information.

Landlord: Complete either part A or B below and attach this form to the Notice of Hearing.

The information below is from the Landlord to the Tenant:

A. Application does not Include Capital Expenditures:

- ☐ The application does not include a claim for capital expenditures. Supporting documents for the application have been filed with the Board. Ask the Board how you can view these documents.

B. Application Includes Capital Expenditures:

- ☒ I have an office in or close to the residential complex where you can view a copy of the supporting documents that have been filed with my application to the Board during the hours from 9:00AM to 5:00PM. The location of the office is: 165 Ontario Street
office located on main floor
beside back door of building
office sign on door
Please contact your Building Representative for access
- ☒ You can request a copy of the compact disc containing the supporting documents from me. If you do, you must pay me \$5.00 for the disc. (Note: The charge cannot exceed \$5.00.) If paying by cheque, make the cheque payable to Transglobe.
- ☐ I am not required to provide a compact disc of the supporting documents because the residential complex contains 6 or fewer residential units, is located in a rural or remote area and I cannot reasonably provide the disc. However, I can provide you with a photocopy of the supporting documents for a charge of \$_____. (Note: The charge cannot exceed \$5.00.) If paying by cheque, make the cheque payable to _____.

Note: To make your request for a copy of the disc or photocopies of the documents or to discuss alternate ways of obtaining the information, contact Jessica Da Silva
 at (905) 672-1100 ext. 1868
 [telephone number] [name]

File Number: SOL-26605

Schedule of Parties

Applicant/Owner	Representatives
Trinity 165 Ontario Inc C/O Transglobe Property Management	Sheen Pitts Yanjing Xu Oleg Shirobokov Philipp Lesmana Meng Zhang Chelsea Rodriguez Sergey Vshyvenyuo Sheide Koprani Natalie Coombs Randy Monabb Marlene Sawatsky Owais Khan Rena Daigle Bernard Donegan Donna Culp Halil Koprani Tim Lancaster Cindy Ackley Fawzia Nsire Yvonne Carroll Steven Parkhill Kenneth Jacques Adam Bradshaw Wan Ching Chen Shasha Ding Shqipe Tusha Drew Edwards Thuy Nguyen Kseniya Revnova Florian Batacan Haziz Tusha Charles Green Maria Edelman Margaret Alkerton Tiffanee Watson Matt Howell Gracja Waniewska Christine Kaus Robert Gordon Ashlyn Joyce Kalyn Kraul Iain Smook

David Matthews
Shelby Urquhart
Fatima (Alyssa) Ragoonath
Ekrem Koprani
James Campbell
Ethan Pink
Tao Wang
Prende Pjetri
Robert Wales
Cody Gosney
Yusi Cheng
Daniel Fung
Jemma Tagg
Aaron Steele
Craig Cunningham
Lisa Barraco
Fabio Flores
Vijaykumar Panchani
Patrick Kayumbi
Mohammad Nasire
Crystal Johnson
Lamont Green
Yi Fei Lin
Fei Zhu
Andreas Lesmana
Jocelyn Malangis
Blerim Tusha
Ld Blake
Victoria Rittenhouse
Andrey Khalimon
Anna Karlova
Peng Yan
Kendra Matheson
Fatjona Ujkisufaj
Cristina Spironello
Mary Penner
Ylfete Xhemali
Nicole West
Robert Penner
Petra Bucek
Arther Wade Coombs
Ken Bolvin
Aneesan Panneershselvam
Evan Besnar
Miriam Umana
Stephanie Macdonald
Kristoffer Pigeau
Matt Boyles
Bilun Han
Nirusha Sasitharakumar

Glenn Edgley
Naxhije Koprani
Karly Saunders
Eric Porter
Justyna Konefal
Diane Thompson
Sean Mcfadden
Marie Robson
Valerie Symons
Natalia Pshenitsyna
Lindsay Evoy
Olga Romera
Betty Taylor
Kevin Wolbert
Prabaharan Gunaratnam
Sharmaine Hawkins
Lawrence Parkhill
Mike Read
Miriam Batacan
Melissa Mackay
Nigel Flynn
Claude Plumadore
David Charmaine
Semihale Tusha
Zaher Elahi
Luis Coronado
James Commerford
Kimberly Joyce
Maurice Dzuibanowski
Michael Blake
Mercedes Neira
Nina Fournier
Chantal James
Arroran Gunaratham
James Miles
Rafi Istamboulian
Faynory Coronado
Erin Edwards
Candace Mackay
Ilir Vata
Deborah Hurson
Jean-Philippe Lemoigne
Jonathan Penner
Xiao Qing Ma
Sivasakthy Selvaratnam
Ronald Ashe
Agim Tusha
Patti Scollard
Brenda Agudelo
Carmen Munoz

Niki Von Bormann
Yuchen Jiang
Stella Wittiw
Kyle Liao
Jianshen Dong
Liang Xia
Bertrand Hebert
Sylvia Ryan
Shiyu Yang
Andrew Kramer
Ronnie Reddick
Sarah Wervers
Richard Reiger
Warren Jones
Jeff Allens
Bonnie Nicholls
Tanya Ashenden
Amanda Hicks
Lynda Johnston
Yiyi Lin
Tao Zhang
Nancy Brodgen
Beverly Leppard
Roanne Seguin
Sarosh Owais
Len Mackay
Christine Schutt
Bexhet Xhemali
Brandon Bailey
Scott Henderson
Matthew Clark
Pragneshkumar Patel
Jinwoo Jung
Don Madole
Joanne Houde
Rajiv Singh
Fang Yu
Joshua Janzen



Application for a Rent Increase Above the Guideline Order Form L5

Read the instructions carefully before completing the form. Print or Type in Uppercase.

Part 1: General Information

Landlord's Name and Address (If there is more than 1 landlord, complete a Schedule of Parties form and file it with this application)

First Name ☐ Male ☐ Female ☒ Company

TRINITY 165 ONTARIO INC.

Last Name

C/O TRANSGLOBE PROPERTY MANAGEMENT

Street Address

5925 AIRPORT ROAD

Unit/Apt./Suite

Municipality (city, town, etc.)

Province Postal Code

700 MISSISSAUGA ON L4V 1W1

Day Phone Number

Evening Phone Number

Fax Number

(905) 293 9400 () (905) 293 9426

E-mail Address

Rental Unit Covered by this Application

Street Number

Street Name

165 ONTARIO

Street Type (e.g. Street, Avenue, Road)

Direction (e.g. East)

Unit/Apt./Suite

STREET SEE LIST

Municipality (city, town, etc.)

Province

Postal Code

ST. CATHARINES ON L7R 5K4

What is the total number of rental units in the complex?

157

How many rental units are covered by the application?

117

Tenants' Names and Addresses

Complete a Schedule of Parties form with the names and addresses, including the unit numbers, of the tenants in the units covered by the application and file it with this application.

Rent Information

What is the date the first intended rent increase for the units covered by this application will take effect?

01 / 07 / 2010
dd mm yyyy

Previous Order

If a previous rent increase above the guideline order was issued, fill in the file number.

-

The Landlord and Tenant Board collects the personal information requested on this form under section 185 of the *Residential Tenancies Act, 2006*. This information will be used to determine applications under this Act. After an application is filed, all information may become available to the public. Any questions about this collection may be directed to a Customer Service Representative at 416-645-8080 or toll-free at 1-888-332-3234.

LANDLORD AND TENANT BOARD

MAR 26 2010

LONDON

10501

Part 2: Reasons for Your Application

I am applying for a rent increase above the guideline because:

- ☐ 1. The municipal taxes and charges for the complex increased by an "extraordinary" amount.
- ☐ 2. The utility costs for the complex increased by an "extraordinary" amount.
- ☐ 3. Operating costs for security services for the complex have been experienced for the first time or have increased.
- ☒ 4. Capital expenditure work was done.

Part 3: Signature

Landlord's/Agent's Signature

☐ Landlord

☒ Agent

Date



26 / 03 / 2010
dd mm yyyy

If you are an agent or an officer of a corporation, you must provide the following information:

First Name

P A U L

Last Name

C A P P A

Company Name (if applicable)

C O H E N H I G H L E Y L L P

Mailing Address

2 5 5 Q U E E N S A V E N U E

Unit/Apt./Suite

1 1 0 0

Municipality (city, town, etc.)

L O N D O N

Province

O N

Postal Code

N 6 A 5 R 8

Phone Number

(5 1 9) 6 7 2 9 3 3 0

Fax Number

(5 1 9) 6 7 2 5 9 6 0

E-mail Address

Important Information

1. The landlord must file this application at least 90 days before the date the first intended rent increase covered by the application will take effect.
2. Along with the application, the landlord must file evidence of the costs claimed in the application and proof of payment of those costs. If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must also file a copy of the *Information about Rental Units in the Complex* form and a copy of the *Capital Expenditures: Additional Details* form for each capital expenditure item claimed in the application.

If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must also provide the Board with the following documents:

- two additional photocopies of the application;
- two additional photocopies of all of the supporting documents (including supporting documents related to increased operating costs, if claimed in the application);
- a compact disc that contains a scanned version of the supporting documents in portable document format (PDF).
Note: The landlord does not have to provide a compact disc of the supporting documents if the residential complex has six or fewer rental units, and is located in a rural or remote area, and the landlord cannot reasonably provide the compact disc.

If the landlord does not file the required supporting documents at the time the application is made, a Member may refuse to allow the landlord to file these documents at a later date. This may result in the landlord being unable to prove their claim.

See the instructions for additional details about what must be filed.

10501

3. If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must make the supporting documents that accompany the application available to the tenants of the residential complex.
- If the landlord has an office in or close to the residential complex, the landlord must allow the tenants to view a copy of the supporting documents during normal business hours.
 - If the landlord is required to provide the Board with a compact disc containing the supporting documents (see note 2), then the landlord must provide a copy of the compact disc to a tenant who requests it. The landlord cannot charge more than five dollars for providing a copy of the compact disc. Alternatively, if the landlord and tenant agree, the landlord can provide either of the following:
 - ♦ a photocopy of the supporting documents at a reasonable charge based on the landlord's out-of-pocket costs for making the copies, or
 - ♦ a copy of the supporting documents in PDF format, by e-mail, at no charge.
 - If the landlord does not have to provide the Board with a compact disc containing the supporting documents (see note 2), then the landlord must provide a photocopy of the supporting documents for a charge of not more than five dollars.
4. Once the landlord files this application with the Board, the Board will give the landlord a Notice of Hearing. The landlord must give the tenant(s) of the units affected by this application a copy of the application and the Notice of Hearing at least 30 days before the hearing.
- Once the landlord has given the tenant(s) copies of the application and Notice of Hearing, the landlord must file a Certificate of Service with the Board showing how and when the landlord gave the documents to the tenant(s).
5. It is an offence under the *Residential Tenancies Act* to file false or misleading information with the Landlord and Tenant Board.
6. The Board has Rules of Practice that set out rules related to the application process, and Interpretation Guidelines that explain how the Board might decide specific issues that may arise in an application. You can purchase a copy of the Rules and Guidelines from your local Board office or view them online at www.LTB.gov.on.ca.
7. For further information you may contact the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. Or, you may visit the Board's web site at www.LTB.gov.on.ca.



Schedule 2 Details of Capital Expenditures

A. Description and Costs

If you are applying for an increase above the guideline because you incurred capital expenditures, you must fill out this schedule completely. You must attach copies of the *Capital Expenditures: Additional Details* form and evidence of costs and payment for each expenditure you are applying for. See the instructions for further information. If you are applying for more than five capital expenditure items, complete additional copies of this schedule.

Item #	Description of Capital Expenditure	Date Completed (dd/mm/yyyy)	Useful Life	Labour/Material and Contract Costs	Landlord's Own Labour Hours X Rate = Total	Total Costs
1	Common Area Corridor Renovations	31/10/2008	10 yrs	\$157,983.00		\$157,983.00
2	Stairwell Painting	26/3/2009	10 yrs	\$7,959.00		\$7,959.00
3	Elevator Cab Modernization	26/8/2009	15 yrs	\$51,261.00		\$51,261.00
4	Toilet Replacement	29/10/2009	15 yrs	\$27,859.65		\$27,859.65
5	Roof Replacement	12/15/2008	15 yrs	\$68,964.00		\$68,964.00

Attach additional sheets if necessary

☒ The costs listed above affect all of the rental units in the complex.

☐ The costs for one or more of the items listed above affect some, but not all of the rental units in the complex.

B. If any of the capital expenditure items affect some, but not all of the rental units in the complex, list the item number(s) and provide the following details.

Item Number	Column 1 Units that are affected by the item and are covered by this application (list unit numbers)	Column 2 Units that are affected by the item but are not covered by this application (list unit numbers)

Attach additional sheets if necessary

10501



Schedule 2 Details of Capital Expenditures

A. Description and Costs

If you are applying for an increase above the guideline because you incurred capital expenditures, you must fill out this schedule completely. You must attach copies of the *Capital Expenditures: Additional Details* form and evidence of costs and payment for each expenditure you are applying for. See the instructions for further information. If you are applying for more than five capital expenditure items, complete additional copies of this schedule.

Item #	Description of Capital Expenditure	Date Completed (dd/mm/yyyy)	Useful Life	Labour/Material and Contract Costs	Landlord's Own Labour Hours X Rate = Total	Total Costs
6	Signage	12/31/2008	15 yrs	\$18,507.79		\$18,507.79

Attach additional sheets if necessary

☒ The costs listed above affect all of the rental units in the complex.

☐ The costs for one or more of the items listed above affect some, but not all of the rental units in the complex.

B. If any of the capital expenditure items affect some, but not all of the rental units in the complex, list the item number(s) and provide the following details.

Item Number	Column 1 Units that are affected by the item and are covered by this application (list unit numbers)	Column 2 Units that are affected by the item but are not covered by this application (list unit numbers)

Attach additional sheets if necessary

10501



Schedule 2 (Cont'd)

- C. Did you receive any money from an insurer, government grants or forgivable loans or other assistance, or proceeds from trade-in, salvage or resale for any capital expenditure items(s)? ☐ Yes ☒ No

If yes, list the item number, the source of the funds and the amount you received below.

Item Number	Source	Total Amount

Attach additional sheets if necessary

- D. Do any of the capital expenditure items relate to non-residential portions of the complex or other residential complexes? ☐ Yes ☒ No

If yes, list the item and provide details of how you propose costs should be allocated below. See the instructions for further information.

--	--

Attach additional sheets if necessary

10501



Order under Section 126
Residential Tenancies Act, 2006

In the matter of: 165 Ontario St, St Catharines ON L7R5K4

Between: Trinity 165 Ontario Inc C/O Landlord
Transglobe Property
Management

and

Refer to attached Schedule 2 Tenants

Trinity 165 Ontario Inc C/O Transglobe Property Management (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 heard in St. Catharines on September 16, 2010.

The following parties attended the hearing:

For the Landlord: Paul Cappa, legal representative;
The Tenants: Cindy Ackley, Lisa Barraco, LD Blake, Florian Batacan, Maria Edelman, Glenn Edgley, Lindsay Evoy, Nigel Flynn, Kenneth Jacques, Lynda Johnston, Jocelyn Malangis, Randy McNabb, James Miles, Steven Parkhill, Sylvia Ryan, Marlene Sawatsky and Rajiv Singh.

At the hearing, and after the assistance of a Board Mediator, the parties consented to the following order:

Upon the consent of the parties it is determined that:

1. The Landlord justified a rent increase above the guideline because of capital expenditures. The agreed to increased amounts are set out in the order below.

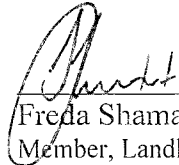
It is ordered that:

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.

3. The First Effective date for the increase is July 1, 2010.
4. The average useful life for the work done is agreed to be 13 years.
5. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order.

October 1, 2010

Date Issued


Freda Shamatutu
Member, Landlord and Tenant Board

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Southern

6th floor, 119 King Street West

Hamilton ON L8P 4Y7

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. The ordered increase does not affect tenants who moved into the complex on or after April 2, 2010. The landlord cannot add the ordered increase to the rents these tenants pay.

Schedule 1 - Units affected by this Order:

165 Ontario St, St Catharines ON L7R5K4,

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Schedule 2 - Tenants who are affected by this Order:

Sheen Pitts
Yanjing Xu
Oleg Shirobokov
Meng Zhang
Sergey Vshyvenyuo
Natalie Coombs
Marlene Sawatsky
Rena Daigle
Donna Culp
Wan Ching Chen
Adam Bradshaw
Kenneth Jacques
Steven Parkhill
Yvonne Carroll
Fawzia Nsire
Cindy Ackley
Tim Lancaster
Halil Koprani
Kalyn Kraul
Ashlyn Joyce
Robert Gordon
Christine Kaus
Gracja Waniewska
Matt Howell
Tiffanee Watson
Margaret Alkerton
Maria Edelman
Lisa Barraco
Craig Cunningham
Aaron Steele
Jemma Tagg
Daniel Fung
Yusi Cheng
Cody Gosney
Robert Wales
Prende Pjetri
Kendra Matheson
Peng Yan
Anna Karlova
Andrey Khalimon

Victoria Rittenhouse
LD Blake
Blerim Tusha
Jocelyn Malangis
Andreas Lesmana
Nirusha Sasitharakumar
Bilun Han
Matt Boyles
Kristoffer Pigeau
Stephanie Macdonald
Miriam Umana
Evan Besnar
Aneesan Panneershselvam
Ken Boivin
Lawrence Parkhill
Sharmaine Hawkins
Prabaharan Gunaratnam
Kevin Wolbert
Betty Taylor
Olga Romera
Lindsay Evoy
Natalia Pshenitsyna
Valerie Symons
Arroran Gunaratham
Chantal James
Nina Fournier
Mercedes Neira
Michael Blake
Maurice Dzuibanowski
Kimberly Joyce
James Commerford
Luis Coronado
Joshua Janzen
Fang Yu
Rajiv Singh
Joanne Houde
Don Madole
Jinwoo Jung
Pragneshkumar Patel
Matthew Clark
Scott Henderson
Brandon Baley
Bexhet Xhemali
Roanne Seguin

Christine Schutt
Len MacKay
Sarosh Owais
Berverly Leppard
Nancy Brodgen
Tao Zhang
Yiyei Lin
Lynda Johnston
Amanda Hicks
Tanya Ashenden
Bonnie Nicholls
Jeff Allens
Warren Jones
Richard Reiger
Sarah Wervers
Ronnie Reddick
Andrew Kramer
Shiyu Yang
Sylvia Ryan
Bertrand Hebert
Liang Xia
Jianshen Dong
Kyle Liao
Stella Wittiw
Yuchen Jiang
Niki Von Bormann
Carmen Munoz
Brenda Agudelo
Patti Scollard
Agim Tusha
Ronald Ashe
Sivasakthy Selvaratnam
Xiao Qing Ma
Jonathan Penner
Jean-Philippe LeMoigne
Deborah Hurson
Ilir Vata
Candace MacKay
Erin Edwards
Faynory Coronado
Rafi Istamboulia
James Miles
Zaher Elahi

Nigel Flynn
Melissa MacKay
Semihale Tusha
David Charmaine
Claude Plumadore
Miriam Batacan
Mike Read
Marie Robson
Sean Mcfadden
Diane Thompson
Justyna Konefal
Eric Porter
Karly Saunders
Naxhije Koprani
Glenn Edgley
Arther Wade Coombs
Petra Bucek
Nicole West
Ylfete Xhemali
Mary Penner
Cristina Spironello
Fatjona Ujkisufaj
Fei Zhu
Yi Fei Lin
Lamont Green
Crystal Johnson
Mohammad Nasire
Patrick Kayumbi
Vijaykumar Panchani
Fabio Flores
Tao Wang
Ethan Pink
James Campbell
Ekrem Koprani
Fatima (Alyssa) Ragoonath
Shelby Urquhart
David Matthews
Iain Smook
Charles Green
Haziz Tusha
Florian Batacan
Kseniya Revnova
Thuy Nguyen

Drew Edwards
Shqipe Tusha
Shasha Ding
Bernard Donelan
Owais Khan
Randy McNabb
Sheide Koprani
Chelsea Rodriguez
Philipp Lesmana

Schedule 3 - Ordered Rent Increase Above the GuidelineFirst Effective Date of Rent Increase in this Order is **July 1, 2010**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

Unit	For the period July 1, 2010 to June 30, 2011							Weighted Useful Life for Capital Exp. *	Total % for Cap. Exp.
	% inc for Taxes	% inc for Cap. Exp.	% inc for Utili-ties	% inc for Sec. Serv.	Total Increase (excludes guideline)				
117, 165 Ontario St, St Catharines	0	0.50	0	0	0.50			13.00	0.50
118, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
119, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
201, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
202, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
205, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
206, 165 Ontario St, St Catharines	0	1.00	0	0	1.00			13.00	1.00
207, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
208, 165 Ontario St, St Catharines	0	0.50	0	0	0.50			13.00	0.50
209, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
210, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00
212, 165 Ontario St, St Catharines	0	2.00	0	0	2.00			13.00	2.00

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

File Number: SOL-26605

Catharines								
217, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
219, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
220, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
301, 165 Ontario St, St Catharines	0	0.50	0	0			0.50	
305, 165 Ontario St, St Catharines	0	0.60	0	0			0.60	
306, 165 Ontario St, St Catharines	0	1.00	0	0			1.00	
309, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
310, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
311, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
312, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
315, 165 Ontario St, St Catharines	0	0.60	0	0			0.60	
318, 165 Ontario St, St Catharines	0	0.50	0	0			0.50	
319, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
401, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	
404, 165 Ontario St, St Catharines	0	0.50	0	0			0.50	
405, 165 Ontario St, St Catharines	0	0.50	0	0			0.50	
407, 165 Ontario St, St Catharines	0	0.50	0	0			0.50	
408, 165 Ontario St, St Catharines	0	2.00	0	0			2.00	

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

Catharines									
409, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
410, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
411, 165 Ontario St, St Catharines	0		0.50	0	0			0.50	
412, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
414, 165 Ontario St, St Catharines	0		0.60	0	0			0.60	
415, 165 Ontario St, St Catharines	0		0.50	0	0			0.50	
417, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
418, 165 Ontario St, St Catharines	0		0.50	0	0			0.50	
419, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
420, 165 Ontario St, St Catharines	0		0.50	0	0			0.50	
501, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
503, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
504, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
506, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
507, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
508, 165 Ontario St, St Catharines	0		2.00	0	0			2.00	
509, 165 Ontario St, St Catharines	0		0.60	0	0			0.60	
510, 165 Ontario St, St Catharines	0		0.50	0	0			0.50	

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

File Number: SOL-26605

Catharines	0	0.50	0	0	0	0.50
511, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
515, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
516, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
517, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
518, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
519, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
520, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
601, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
602, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
604, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
605, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
606, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
608, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50
609, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
610, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
611, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
612, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00
614, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

File Number: SOL-26605

Catharines									
615, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
616, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
618, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
619, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
620, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
701, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
702, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
703, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
704, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
705, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
707, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
708, 165 Ontario St, St Catharines	0	0.60	0	0				13.00	0.60
709, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
710, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
711, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
712, 165 Ontario St, St Catharines	0	0.50	0	0				13.00	0.50
714, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00
717, 165 Ontario St, St Catharines	0	2.00	0	0				13.00	2.00

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

File Number: SOL-26605

Catharines									
718, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
719, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
720, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
801, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
802, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
803, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
804, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
805, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
806, 165 Ontario St, St Catharines	0	0.60	0	0	0	0.60		13.00	0.60
809, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
810, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
811, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
812, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00
814, 165 Ontario St, St Catharines	0	1.00	0	0	0	1.00		13.00	1.00
815, 165 Ontario St, St Catharines	0	0.60	0	0	0	0.60		13.00	0.60
816, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
817, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50		13.00	0.50
819, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00		13.00	2.00

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

File Number: SOL-26605

Catharines									
820, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
901, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50	13.00	0.50	
902, 165 Ontario St, St Catharines	0	1.00	0	0	0	1.00	13.00	1.00	
903, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
904, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
905, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
907, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
908, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
911, 165 Ontario St, St Catharines	0	0.70	0	0	0	0.70	13.00	0.70	
914, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
916, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
917, 165 Ontario St, St Catharines	0	0.50	0	0	0	0.50	13.00	0.50	
918, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
919, 165 Ontario St, St Catharines	0	2.00	0	0	0	2.00	13.00	2.00	
920, 165 Ontario St, St Catharines	0	0.60	0	0	0	0.60	13.00	0.60	

* 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 4 for information about the date and amount of the rent reduction.

The annual guideline for 2010 is 2.1% and for 2011 is 0.7%.

CAPITAL EXPENDITURES: ADDITIONAL DETAILS

P. 1/1

Item and description of work:	Date completed:					May 7, 2012
#5 - Replace Exhaust Fans	Total labour, material & contract costs claimed in application for this item (not including landlord's own labour)*: \$2,556.63					
<u>Contractor/Supplier</u>	<u>Invoice Number</u>	<u>Invoice/ Bill Date (mm/dd/yy)</u>	<u>Invoice/ Bill Amount</u>	<u>Method of Payment</u>	<u>Cheque Number</u>	<u>Payment Amount</u>
Dixon Air & Heating	7538	5/7/2012	\$2,556.63	Cheque	5250	\$7,573.83
						<u>Amount related to this item</u>
						\$2,556.63

16



14 Hutton Crescent | 304 Stone Road West, Suite 125
Caledon, ON L7C 1B1 | Guelph, ON N1G 4W3
Tel: 416.805.2209 | Tel: 519.743.5168
www.dixonair.ca
HST# 839535747 RT0001

INVOICE

7538
NO.

07/05/2012
DATE:

1 of 1
PAGE:

S
O
L
D
T
O
TransGlobe Apartment REIT
5935 Airport Rd. Suite 600
Mississauga, Ontario L4V 1W5
Canada

S
H
I
P
T
O
TransGlobe Apartment REIT
165 Ontario Street
St. Catharines, Ontario

Purchase Order # 327967

MAY 10 2012

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	HST GST	PST	UNIT PRICE	AMOUNT
			See attached work order # 9163				
			Exhaust Replacement				
	4		3/4hp Fan Motors	HS		315.00	1,260.00
	1		1/2hp Fan Motor	HS		322.50	322.50
			Labour	HS			680.00
			Subtotal:				2,262.50
			HS - HST 13%				
			HST				294.13

COMMENTS:
PAYMENT DUE 07/06/2012

TOTAL ➡ 2,556.63



ROYAL BANK OF CANADA
P.O. BOX 4047 TERMINAL A
TORONTO ON M5W 1L5

Business Account Statement

96

June 29, 2012 to July 31, 2012
Account number: 108003 100-01-00

Serial #: 5247

Transpacific Apartment REIT - GTA
3030 Airport Road, Suite 100
Mississauga, Ontario, L4V 1Y6

ROYAL BANK
30 King Street West
Toronto, Ontario M5H 1C4

5247
DATE 7/1/2012

10051470 108012-0031 101-870-41 10000099100

Serial #: 5248

Transpacific Apartment REIT - GTA
3030 Airport Road, Suite 100
Mississauga, Ontario, L4V 1Y6

ROYAL BANK
30 King Street West
Toronto, Ontario M5H 1C4

5248
DATE 7/1/2012

10051470 108012-0031 101-870-41 10000517111

Serial #: 5249

Transpacific Apartment REIT - GTA
3030 Airport Road, Suite 100
Mississauga, Ontario, L4V 1Y6

ROYAL BANK
30 King Street West
Toronto, Ontario M5H 1C4

5249
DATE 7/1/2012

10051470 108012-0031 101-870-41 10000510469

Serial #: 5250

Amount: \$7,573.83

Transpacific Apartment REIT - GTA
3030 Airport Road, Suite 100
Mississauga, Ontario, L4V 1Y6

ROYAL BANK
30 King Street West
Toronto, Ontario M5H 1C4

5250
DATE 7/1/2012

SEVEN THOUSAND FIVE HUNDRED SEVENTY THREE AND 83/100 DOLLARS
PAY TO THE ORDER OF

Dixon Air & Heating Inc.
14 Hulton Crescent
Caledon, ON K9C 1B1

10051500 108012-0031 101-870-41 10000757181

Garage Entrance

Sources : Roanne Sequin & Catharine Davies (tenants)

Entrance after repairs, Sept 2014 (street view)



After repairs (from above) ... Repairs never completed, Sept 2014



Still not completed, Sept 4, 2015 (from above)



Close up showing condition of roof Sept 4, 2015



Starlight Sign

Source Catherine Davies (tenant)



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Ce document contient des renseignements importants et est offert en français. Pour obtenir la version française et pour savoir si des services en français sont disponibles à l'audience, veuillez communiquer avec nous au 416-645-8080 ou sans frais d'interurbain au 1-888-332-3234.



Landlord
and
Tenant
Board

File Number: SOL-40297-13

NOTICE OF HEARING

Under section 174 of the *Residential Tenancies Act, 2006*

The Landlord and Tenant Board has scheduled a hearing

between: RED STARLIGHT LP

and Please see Schedule of Parties (Respondents)

concerning the rental unit located at:

165 ONTARIO STREET ST CATHARINES ON L2R 5K4

Purpose of the hearing:

The landlord has filed an application with the Landlord and Tenant Board for a rent increase above the guideline. A copy of the application is attached to this notice. The Board will hold a hearing to make a decision about the application.

Hearing time and place:

When: Thursday, September 18, 2014 2:00 PM

Where: St. Catharines RM 1, 150 King Street, St. Catharines ON
L2R7R4 MTO Building Ground Floor Room A

You must arrive at 1:30 PM to sign in for your hearing.

It is very important for you to attend the hearing and be prepared to proceed. If you cannot attend the hearing, you should send someone who has your written permission to represent you. If you or your representative do not attend, the Board may hold the hearing without you and you will not be sent any further notice of the proceedings.

You may also bring a lawyer or agent to represent you. If you choose to be represented, you should make arrangements for a lawyer or agent as soon as possible. If tenants in a building want to get together and appoint a spokesperson, this should be organized promptly.

A request to adjourn the hearing to a later date may not be granted and therefore, it is important that you and/or your representative are ready to proceed on the day of the hearing.

Tenants: You should review the information your landlord filed with the application before the hearing date.

- o You can view the application file at the regional office listed at the end of this notice, or in some cases, arrangements can be made to view the file at another Board office.
- o The Board may have a compact disc containing a scanned version of the supporting documents filed by the landlord. You may contact the Board to ask about obtaining a copy of the disc for a fee.
- o In most cases, the landlord must also make the supporting documents available to the tenants for viewing. See *Supporting Documents for Tenants to View* form attached to this notice for further information.

Landlord: You may have to make the information supporting your application available to your tenants for viewing. See *Supporting Documents for Tenants to View* form attached to this notice for further information.

What you should bring to the hearing:

Landlords should be prepared at the hearing to present the case they have filed.

Tenants should be ready to present any evidence they have to support their case. Make sure to bring:

- o three copies of any evidence you wish to use, and
- o any people you want to use as witnesses.

For more information:

If you have any questions you may contact the Landlord and Tenant Board at 416-645-8080, or toll free at 1-888-332-3234. You may also visit our website at www.ltb.gov.on.ca. You can view the application at the regional office listed below, or in some cases, arrangements can be made to view the file at another office of the Board.

Regional Office: Southern-RO, 119 King Street West, Hamilton, ON
L8P 4Y7, 6th Floor
Fax: (905) 521-7870 or 1-866-455-5255
Date Issued: Friday, May 02, 2014

File Number: **SOL-40297-13**

Schedule of Parties

Respondents

VIVIAN ACHEAMPONG
FAROOG AL HUSAINI
ZAINAB MOHAMED AMIR
NAGY ANDREW
ANGELA ANIOL
BRENT BARNHARDT
JESSE BENNICI
BARBARA BERNICKY
LD BLAKE
COLLIN BRANSTON
MARK BROWN
ROSEMARY BROWN
JESSIE BURKE
MARGARET CAIN
JOSEPH CAPASSO
DEBORAH COOK
NANCY COURCHESNE
HOLLY CRUISE
STEVEN CUMMING
CAROL DIEUZ
ADAM DUGUAY
MAURICE DZUIBANOWSKI
MARIA EDELMAN
JANICE FEATHER
MARY JO FITZGIBBON
DONNA FORTIN
ALEX FREDERICK
SUSAN GALLOWAY
KERRY GORING
FEVEN HABTOM
BENNY HERSTEK
JOANNE HOUDE
DEBORAH HURSON
STEVEN JASINSKI
LYNDA JOHNSTON
ANNA KARLOVA
STEPHANIE KRAVCIK
STANFORD LAI
SIMONE LARSEN
MENGXUE LI
JANET MACDONALD

SMELSER ADAM
MOHAMMED AL SHAIBANI
FAIZA ANAM
VIRGINIA ANGLE
JESSICA ARMSTRONG
ANDREW BAUMBARTNER
JACOLYNNE BERING
TREVOR BLACKMORE
JAMES BOESE
NANCY BRODGEN
MICHELE BROWN
TABITHA BROWN
ASHLEY BURNS
BARBARA CAMPBELL
JORDAN MICHAEL CECCHI
AMANDA CORBI
JANE COUSINS
WILLIAM CSUKA
NICHOLAS DERTINGER
CAROLYN ANN DRESSSEL
CATHIE DUVAL
CLAYTON EATON
ALHUSSEIN ELZOWAWI
KARLI FISHER
W M MACRIS FLEMING
ASHTONNE GORING FRANCIS
SHAWN FREEMAN
MAYELAYNE GARCIA
CHARLES GREEN
BERTRAND HEBERT
DAVIS HIGNETT
NIAGARA REGIONAL HOUSING
KENNETH JACQUES
BRANDEN JOHNSON
JUSTYN JONES
VLADIMIR KOSTROMA
DARIA KRIKUN
TIM LANCASTER
STEVEN LEE
LIANG LIN
DON MADOLE

LAURIE MAHLE
LINDA MASON
SEAN MCFADDEN
RANDY MCNABB
JAVID MIAN
ERIN MULVIHILL
MAXINE MURPHY
LAURA NESBITT
MARY PENNER
KATHY LYNN PETTIPAS
ROB PRENTICE
RONNIE REDDICK
DARREN REID
SYLVIA RYAN
MYSLIM SALIU
ROANNE SEGUIN
GERALD SPECIAINY
JOHN SWEENEY
DIANE THOMPSON
DIANE TRIPP
STALL VILBRUN
ROBIN WEISS
KEVIN WOLBERT
ZHAN YI
FANG YU

JOCELYN MALANGIS
KENDRA MCCOURT
DIANNE MCCLAUGHLIN
KENNETH MELLEN
JAMES MOATE
KARI MURPHY
MERCEDES NEIRA
RUBY NICKERSON
DEBORAH PETCH
ERIKKI PIETIKAINEN
FATIMA ALYSSA RAGOONATH
DANIELLE REID
DEBBIE ROMEIKO
MOHAMED ABUEL SAAD
MARLENE SAWATSKY
MARTIN SMITH
PETER STAVROU
BETTY TAYLOR
THEODORE THOMPSON
JULIE VANDERVAART
NIKI VON BORMANN
STELLA WITTIW
BEXHET XHEMALI
RAMONA YOUNG
HAI ZHU

Supporting Documents for Tenants to View

Address: 165 ONTARIO STREET, ST. CATHARINES, ONT File Number: SOL-46297-13
L2R 5K4

The landlord must file all their supporting documents for their Application for a Rent Increase above the Guideline when they file their application with the Board. Tenants can contact the Board if they want to view these documents. If the landlord provided a compact disc of the documents, tenants can purchase a copy of the disc from the Board.

If the application includes a claim for capital expenditures, then the landlord must make a copy of the supporting documents available to the tenants. See below for more information.

Landlord: Complete either part A or B below and attach this form to the Notice of Hearing.

The information below is from the Landlord to the Tenant:

A. Application does not Include Capital Expenditures:

- The application does not include a claim for capital expenditures. Supporting documents for the application have been filed with the Board. Ask the Board how you can view these documents.

B. Application Includes Capital Expenditures:

- ☒ I have an office in or close to the residential complex where you can view a copy of the supporting documents that have been filed with my application to the Board during the hours from 9:00am to 5:00pm. The location of the office is: at 165 Ontario St. St. Catharines, Ont (Ground Floor)
- You can request a copy of the compact disc containing the supporting documents from me. If you do, you must pay me \$ 5.00 for the disc. (Note: The charge cannot exceed \$5.38.) If paying by cheque, make the cheque payable to Starlight Investments
- I am not required to provide a compact disc of the supporting documents because the residential complex contains 6 or fewer residential units, is located in a rural or remote area and I cannot reasonably provide the disc. However, I can provide you with a photocopy of the supporting documents for a charge of \$ _____. (Note: The charge cannot exceed \$5.38.) If paying by cheque, make the cheque payable to _____.

Note: To make your request for a copy of the disc or photocopies of the documents or to discuss alternate ways of obtaining the information, contact Elizabeth Dias
at 647-725-0427 [name]
[telephone number]

**Application for a Rent Increase Above the Guideline Order
Form L5**

Read the instructions carefully before completing the Form. Print or Type in Uppercase.

Part 1: General Information**Landlord's Name and Address** (If there is more than 1 landlord, complete a Schedule of Parties form and file it with this application)

First Name

☐ Male ☐ Female ☒ Company

RED STARLIGHT LP

Last Name

Street Address

401 THE WEST MAIL

Unit/Apt./Suite

Municipality (city, town, etc.)

Province Postal Code

1100 TORONTO ON M9C 5J5

Day Phone Number

Evening Phone Number

Fax Number

(416) 234 8444 () (416) 234 8445

E-mail Address

Rental Unit Covered by this Application

Street Number

Street Name

165 ONTARIO

Street Type (e.g. Street, Avenue, Road)

Direction (e.g. East)

Unit/Apt./Suite

STREET SEE LIST

Municipality (city, town, etc.)

Province

Postal Code

ST CATHARINES ON L2R 5K4

What is the total number of rental units in the complex?

157

How many rental units are covered by the application?

131

Tenants' Names and Addresses

Complete a Schedule of Parties form with the names and addresses, including the unit numbers, of the tenants in the units covered by the application and file it with this application.

Rent Information

What is the date the first intended rent increase for the units covered by this application will take effect?

01 / 12 / 2013
dd mm yyyy**Previous Order**

If a previous rent increase above the guideline order was issued, fill in the file number.

SOL - 26605

The Landlord and Tenant Board collects the personal information requested on this form under section 185 of the *Residential Tenancies Act, 2006*. This information will be used to determine applications under this Act. After an application is filed, all information may become available to the public. Any questions about this collection may be directed to a Customer Service Representative at 416-645-8080 or toll-free at 1-888-332-3234.

SOL - 40297-13

Part 2: Reasons for Your Application

I am applying for a rent increase above the guideline because:

- ☐ 1. The municipal taxes and charges for the complex increased by an "extraordinary" amount.
- ☐ 2. The utility costs for the complex increased by an "extraordinary" amount.
- ☐ 3. Operating costs for security services for the complex have been experienced for the first time or have increased.
- ☒ 4. Capital expenditure work was done.

Part 3: Signature

Landlord's/Agent's Signature

☐ Landlord☒ Agent

Date

20 / 08 / 2013
dd mm yyyy

If you are an agent or an officer of a corporation, you must provide the following information:

First Name

P A U L

Last Name

C A P P A

Company Name (if applicable)

C O H E N H I G H L E Y L L P

Mailing Address

2 5 5 Q U E E N S A V E N U E

Unit/Apt./Suite

1 1 0 0

Municipality (city, town, etc.)

L O N D O N

Province

O N

Postal Code

N 6 A 5 R 8

Phone Number

(5 1 9) 6 7 2 9 3 3 0

Fax Number

(5 1 9) 6 7 2 5 9 6 0

E-mail Address

Important Information

1. The landlord must file this application at least 90 days before the date the first intended rent increase covered by the application will take effect.
2. Along with the application, the landlord must file evidence of the costs claimed in the application and proof of payment of those costs. If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must also file a copy of the *Information about Rental Units in the Complex* form and a copy of the *Capital Expenditures: Additional Details* form for each capital expenditure item claimed in the application.

If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must also provide the Board with the following documents:

- two additional photocopies of the application,
- two additional photocopies of all of the supporting documents (including supporting documents related to increased operating costs, if claimed in the application),
- a compact disc that contains a scanned version of the supporting documents in portable document format (PDF).
Note: The landlord does not have to provide a compact disc of the supporting documents if the residential complex has six or fewer rental units, and is located in a rural or remote area, and the landlord cannot reasonably provide the compact disc.

If the landlord does not file the required supporting documents at the time the application is made, a Member may refuse to allow the landlord to file these documents at a later date. This may result in the landlord being unable to prove their claim.

See the instructions for additional details about what must be filed.

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3. If the landlord is applying for a rent increase above the guideline because capital expenditure work was done, the landlord must make the supporting documents that accompany the application available to the tenants of the residential complex.
 - If the landlord has an office in or close to the residential complex, the landlord must allow the tenants to view a copy of the supporting documents during normal business hours.
 - If the landlord is required to provide the Board with a compact disc containing the supporting documents (see note 2), then the landlord must provide a copy of the compact disc to a tenant who requests it. The landlord cannot charge more than five dollars for providing a copy of the compact disc. Alternatively, if the landlord and tenant agree, the landlord can provide either of the following:
 - a photocopy of the supporting documents at a reasonable charge based on the landlord's out-of-pocket costs for making the copies, or
 - a copy of the supporting documents in PDF format, by e-mail, at no charge.
 - If the landlord does not have to provide the Board with a compact disc containing the supporting documents (see note 2), then the landlord must provide a photocopy of the supporting documents for a charge of not more than five dollars.
4. Once the landlord files this application with the Board, the Board will give the landlord a Notice of Hearing. The landlord must give the tenant(s) of the units affected by this application a copy of the application and the Notice of Hearing at least 30 days before the hearing.

Once the landlord has given the tenant(s) copies of the application and Notice of Hearing, the landlord must file a Certificate of Service with the Board showing how and when the landlord gave the documents to the tenant(s).
5. It is an offence under the *Residential Tenancies Act* to file false or misleading information with the Landlord and Tenant Board.
6. The Board has Rules of Practice that set out rules related to the application process, and Interpretation Guidelines that explain how the Board might decide specific issues that may arise in an application. You can purchase a copy of the Rules and Guidelines from your local Board office or view them online at www.LTB.gov.on.ca.
7. For further information you may contact the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. Or, you may visit the Board's web site at www.LTB.gov.on.ca.

**Schedule 2**
Details of Capital Expenditures**A. Description and Costs**

If you are applying for an increase above the guideline because you incurred capital expenditures, you must fill out this schedule completely. You must attach copies of the *Capital Expenditures: Additional Details* form and evidence of costs and payment for each expenditure you are applying for. See the instructions for further information. If you are applying for more than five capital expenditure items, complete additional copies of this schedule.

Item #	Description of Capital Expenditure	Date Completed (dd/mm/yyyy)	Useful Life	Labour/Material and Contract Costs	Landlord's Own Labour Hours X Rate = Total	Total Costs
1	Fire System Repair	27/07/2012	15 yrs	\$90,145.76		\$90,145.76
2	Roof Safety Anchor	22/08/2012	20 yrs	\$16,249.63		\$16,249.63
3	Building Exterior & Balcony Repair	9/05/2013	13 yrs	\$662,278.35		\$662,278.35
4	Common Area Painting	23/12/2012	10 yrs	\$32,063.75		\$32,063.75
5	Replace Exhaust Fans	7/5/2012	20 yrs	\$2,556.63		\$2,556.63

Attach additional sheets if necessary

☒ The costs listed above affect all of the rental units in the complex.☐ The costs for one or more of the items listed above affect some, but not all of the rental units in the complex.

B. If any of the capital expenditure items affect some, but not all of the rental units in the complex, list the item number(s) and provide the following details.

Item Number	Column 1 Units that are affected by the item and are covered by this application (list unit numbers)	Column 2 Units that are affected by the item but are not covered by this application (list unit numbers)

Attach additional sheets if necessary

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**Schedule 2**
Details of Capital Expenditures**A. Description and Costs**

If you are applying for an increase above the guideline because you incurred capital expenditures, you must fill out this schedule completely. You must attach copies of the *Capital Expenditures: Additional Details* form and evidence of costs and payment for each expenditure you are applying for. See the instructions for further information. If you are applying for more than five capital expenditure items, complete additional copies of this schedule.

Item #	Description of Capital Expenditure	Date Completed (dd/mm/yyyy)	Useful Life	Labour/Material and Contract Costs	Landlord's Own Labour Hours X Rate = Total	Total Costs
6	Garage Entrance Repair	20/06/2012	20 yrs	\$12,725.63		\$12,725.63
7	Exterior Painting	15/04/2013	10 yrs	\$2,648.72		\$2,648.72
8	Drain Repair	20/06/2013	20 yrs	\$1,130.00		\$1,130.00
9	Building Signage	30/07/2012	15 yrs	\$6,633.14		\$6,633.14

Attach additional sheets if necessary

☒ The costs listed above affect all of the rental units in the complex.☐ The costs for one or more of the items listed above affect some, but not all of the rental units in the complex.

B. If any of the capital expenditure items affect some, but not all of the rental units in the complex, list the item number(s) and provide the following details.

Item Number	Column 1 Units that are affected by the item and are covered by this application (list unit numbers)	Column 2 Units that are affected by the item but are not covered by this application (list unit numbers)

Attach additional sheets if necessary

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Schedule 2 (Cont'd)

C. Did you receive any money from an insurer, government grants or forgivable loans or other assistance, or proceeds from trade-in, salvage or resale for any capital expenditure items(s)? ☐ Yes ☒ No

If yes, list the item number, the source of the funds and the amount you received below.

Item Number	Source	Total Amount

Attach additional sheets if necessary

D. Do any of the capital expenditure items relate to non-residential portions of the complex or other residential complexes? ☐ Yes ☒ No

If yes, list the item and provide details of how you propose costs should be allocated below. See the instructions for further information.

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Attach additional sheets if necessary

Schedule of Exemptions

Based upon move-in dates the following units should be exempt from each section.

Section 1: Fire System Repair; 27 July 2012; 15 years; \$90,145.76

Apartments 303, 604, 607, 910

Section 2: Roof Safety Anchor; 22 August, 2012; 20 years; \$16,249.63

Apartments 303, 604, 607, 817, 903, 910.

Section 3: Building Exterior and Balcony repair; 9 May 2013, 13 years, \$662,278.35

Apartment 205 (No Balcony)

Section 4: Common Area Painting; 23 December, 2012; 10 years; \$32,063.75

Apartments 303, 910

Section 5: Replace Exhaust Fans; 7 May 2012; 20 years; \$2556.63

Apartments 303, 604, 607, 817, 903, 910

Section 6: Garage Entrance Repair; 20 June 2012; 20 years; \$12,725.63

Apartments 303, 604, 607, 817, 903, 910

Section 7: Exterior Painting; 15 March 2013; 10 years; \$2,648.72

Section 8: Drain Repair; 20 June 2013; 20 years; \$1,130.00

Section 9: Signage; 30 July 2013; 15 years; \$6,633.14