

rec'd April 18, 2017



Social Justice Tribunals Ontario
Providing fair and accessible justice

(Disponible en français)

File Number: SOL-67472-16

NOTICE OF HEARING

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

The Landlord and Tenant Board has scheduled a hearing

between: **NORTHVIEW APARTMENT REIT**

and **Please see Schedule of Parties (Respondents)**

concerning the residential complex 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. The Board will hold a hearing to make a decision about the application.

Hearing time and place:

When: Thursday, June 14, 2018 1:30 PM

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

You must arrive at 1:00 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.

- 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.
- 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.
- 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**. 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
M4T 1M6, 6th Floor
Fax: (905) 521-7870 or 1-866-455-5255
Date Issued: Monday, January 29, 2018

Supporting Documents for Tenants to View

Address: 165 Ontario Street
St. Catharines, ON L2R 5K4

File Number: SOL-67472-16

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 LTB. Tenants can contact the LTB 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 LTB for \$5.38.

The landlord must make a copy of the supporting documents available to the tenants.

Landlord: Indicate below all the ways the tenants can view the supporting documents and attach this form to the Notice of Hearing. **Note:** If you have an office in or close to the residential complex you **must** allow tenants to view the documents during normal business hours. As well, if you provide the LTB with a compact disc containing the documents, tenants must be given the choice of purchasing a copy of the disc from you.

The information below is from the Landlord to the Tenant:

- ☒ 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 9:00 a.m. to 5:00 p.m. The location of the office is:

165 Ontario Street, Grand 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 Northview Apartment R&T.

- ☐ 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 _____. Or I can provide you a copy in PDF format, by email, at no charge.

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 Iqra Khan at 416-855-1448.
[name]



**Request for Accommodation
or French-Language Services**

Shade the appropriate boxes to indicate whether you need accommodation under the Ontario *Human Rights Code*, or French-language services, or both. We will include the information in your application file. The file may be viewed by other parties to the application.

☐ **Accommodation Under the Ontario *Human Rights Code***

The Board will provide accommodation for *Code* related needs to help you throughout the application and hearing process in accordance with the Social Justice Tribunals Ontario policy on accessibility and accommodation. For example, you may need a sign-language interpreter at your hearing. We may contact you about your request. You can obtain a copy of the policy at www.SJTO.gov.on.ca.

Please explain: What accommodation do you need?

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☐ **French-Language Services**

The Landlord and Tenant Board will assign a bilingual adjudicator to be in charge of the hearing. We will also arrange for a French-English Interpreter to attend the hearing.

Requester's Information

☐ Landlord ☐ Landlord Representative ☐ Tenant ☐ Tenant Representative ☐ Other

First Name		Last Name	
Mailing Address			Phone Number
Municipality (City, Town, etc.)	Province	Postal Code	Fax Number
Email	File Number		Date (dd/mm/yyyy)

OFFICE USE ONLY	File Number	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Delivery Method	<input type="radio"/> In Person	<input type="radio"/> Mail	<input type="radio"/> Courier	<input type="radio"/> Email	RF	<input type="checkbox"/>				

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Tribunaux de justice sociale Ontario

Pour une justice accessible et équitable

Commission de la location immobilière

Demande d'adaptation ou de services en français

Veillez ombrer les cases appropriées pour indiquer si vous avez besoin d'une adaptation aux termes du *Code des droits de la personne* de l'Ontario, de services en français, ou des deux. Nous incluons ces renseignements dans votre dossier de requête. Le dossier peut être consulté par les autres parties à la requête.

☐ **Adaptation aux termes du *Code des droits de la personne* de l'Ontario**

La Commission fournira les mesures d'adaptation nécessaires concernant des besoins liés au *Code* pour vous aider tout au cours du processus de présentation d'une requête et du processus d'audience conformément à la politique des Tribunaux de justice sociale de l'Ontario sur l'accessibilité et les adaptations. Par exemple, vous pourriez avoir besoin d'un interprète gestuel pendant votre audience. Il est possible que nous communiquions avec vous au sujet de votre demande. Vous pouvez consulter la politique à www.SJTO.gov.on.ca.

Veillez expliquer : Quelles sont les adaptations dont vous avez besoin?

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☐ **Services en français**

La Commission de la location immobilière assignera un arbitre bilingue qui sera responsable de l'audience. Elle engagera également les services d'un interprète français-anglais qui sera présent à l'audience.

Renseignements personnels

☐ Locateur ☐ Représentant du Locateur ☐ Locataire ☐ Représentant du Locataire ☐ Autre

Prénom		Nom de famille	
Adresse postale			N° de téléphone
Municipalité (ville, village, etc.)	Province	Code postal	N° de télécopieur
Adresse électronique	Numéro de dossier		Date (jj/mm/aaaa)

RESERVE AU BUREAU	File Number	<input type="text"/>
Delivery Method	<input type="radio"/> In Person	<input type="radio"/> Mail
	<input type="radio"/> Courier	<input type="radio"/> Email

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Important Information about an Application for a Rent Increase Above the Guideline

This package contains important information about your hearing

The Landlord and Tenant Board (LTB) can hold either an oral or written hearing for a rent increase above the guideline application. This information sheet is about **oral hearings**.

Read the attached Notice of Hearing.

The Notice of Hearing tells the landlord(s) and tenant(s) the time and place that they must appear at their hearing before a LTB adjudicator.

At the hearing the landlord(s) and tenant(s) can make submissions and present their evidence to an LTB adjudicator.

For more information, read the LTB brochure called ***Information about Applications for a Rent Increase Above the Guideline***. You can find the brochure at the LTB website at sijo.gov.on.ca (under *Brochures by Topic*) or call us at **416-645-8080** or **1-888-332-3234** and ask us to mail you one.

Accommodation under the *Human Rights Code*

If you need accommodation under the Ontario *Human Rights Code* (the Code) you can ask the LTB to provide this by filling out and submitting the attached “***Request for Accommodation and French Language Services***” form to the LTB.

For more information about the Code and about the **SJTO Accessibility and Accommodation Policy** visit the Social Justice Tribunal Ontario's (SJTO) website at sijo.gov.on.ca (click on *About* then click on *Accessibility and Diversity*) or call us at one of the numbers above.

French Language Services (FLS)

If you need services in French, you can ask the LTB to provide these services by filling out and submitting the attached “***Request for Accommodation and French Language Services***” form to the LTB.

For more information about FLS and the FLS Policy, visit the Social Justice Tribunal Ontario's (SJTO) website at sijo.gov.on.ca (under *Accessing Our Services*) or call us at one of the numbers above.

PART 2: REASONS FOR YOUR APPLICATION

Shade the box completely next to each reason on which you are basing this application.

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

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

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

How many rental units are covered by the application?	6	6
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PART 3: SIGNATURE

Landlord/Representative's Signature

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2	8	/	0	1	/	2	0	1	6
dd/mm/yyyy									

Who has signed the application? Shade the circle completely next to your answer.

☐ Landlord ☒ Representative

Information About the Representative

First Name

[illegible]

Last Name

[illegible]

LSUC #

P	0	2	1	2	0
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Company Name (if applicable)

[illegible]

Mailing Address

[illegible]

Unit/Apt./Suite

1	1	0	0			
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Municipality (City, Town, etc.)

[illegible]

Prov.

O	N
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Postal Code

N	6	A	5	R	8			
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Day Phone Number

(5	1	9)	6	7	2	-	9	3	3	0
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Evening Phone Number

()				-			
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Fax Number

(5	1	9)	6	7	2	-	5	9	6	0
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E-mail Address

[illegible]



Collecting Personal Information

Under section 185 of the *Residential Tenancies Act, 2006*, the Landlord and Tenant Board has the right to collect the personal information requested on this form. We use the information to resolve your application. After you file the form, your information may also be available to the public. If you have questions about how the Board uses your personal information, contact one of our Customer Service Officers at **416-645-8080** or **1-888-332-3234** (toll-free).

Important Information from the Landlord and Tenant Board

1. The landlord must file this application at least 90 days before the date they intend to take the first rent increase for the rental units covered by the application.
2. Along with the application, the landlord must file evidence of the operating costs claimed in the application. They must also file proof that they have paid for those costs. If the landlord is applying for Reason #4, the landlord must also file a copy of the *Capital Expenditures: Additional Details* form for each capital expenditure item claimed in the application.
3. If the landlord is applying for Reason #4, the landlord must make the documents described above available to the tenants of the rental units covered by the application.
 - 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, 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. Alternately, if the landlord and tenant agree, the landlord can provide either of the following:
 - photocopies of all 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, the landlord must provide a photocopy of the supporting documents to a tenant who requests it for a charge of not more than five dollars.
4. You can ask the Board to provide French-language services at your hearing. If you are the applicant, you can fill out the *Request for Accommodation or French-Language Services* form included at the end of this application. If you are the respondent, the *Request for Accommodation or French-Language Services* form is available at Board offices and at the Board's website at www.LTB.gov.on.ca.
5. You can ask the Board to make special arrangements (called a Request for Accommodation) under the Ontario *Human Rights Code* to help you participate in the hearing. For example, you can ask the Board to make arrangements to provide a sign-language interpreter. You can make a request for accommodation under the *Code* by telephone, fax or mail. If you are the applicant, you can fill out the *Request for Accommodation or French-Language Services* form included at the end of this application. If you are the respondent, the *Request for Accommodation or French-Language Services* form is available at Board offices and at the Board's website at www.LTB.gov.on.ca.
6. It is an offence under the *Residential Tenancies Act, 2006* to file false or misleading information with the Landlord and Tenant Board.
7. The Board can order either the landlord or the tenant to pay the other's costs related to the application.
8. 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 could come up in an application. You can read the *Rules and Guidelines* on the Board's website at www.LTB.gov.on.ca or you can buy a copy from a Board office.

OFFICE USE ONLY:

Delivery Method: ☐ In Person ☐ Mail ☐ Courier ☐ Email ☐ Efile ☐ Fax

MS ☐ FL ☐



A. Description and Costs

If you are applying for reason #4 you must fill out this schedule. If you are applying for more than five capital expenditure items, complete additional copies of this schedule. See the L5 instructions for further information.

Item#	Description of Capital Expenditures	Date Completed (dd/mm/yyyy)	Useful Life	Labour/ Material and Contract Costs	Landlord's Own Labour Hours x Rate = Total	Total Costs
#1	BOILER SYSTEM	25/11/2014	15	\$255,278.30		\$255,278.30

Attach additional sheets if necessary

Shade the circle completely to show whether or not the costs affect all the rental units in the complex.

- ☒ 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#	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



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 item(s)?

☐ Yes

☒ No

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

Item#	Source	Total Amount

D. Do any of the capital expenditures relate to non-residential portions of the complex or to other residential complexes? Shade the circle completely next to your answer.

☐ Yes

☒ No

If yes, list the item and provide details below of how you propose costs should be allocated. See the L5 instructions for further information.

Attach additional sheets if necessary



If you are applying for Reason #4, you must provide the following information for each rental unit in the residential complex, including units not covered by the application, vacant units or units that are not rented. If necessary, attach additional copies of this schedule. See the L5 instructions for further information.

Unit number	Unit not covered by application (Place an "X" in this column if the unit is not covered by the application)	Total current rent (Place "\$0.00" in this column if the unit is vacant or not rented)	Frequency of Rent (per month/week, etc.)	Date current tenancy began (dd/mm/yyyy) (Complete only if the tenancy began less than 18 months before the deadline to file the application)
SEE LIST				



Information about Rental Units in the Complex

Case Number:
(office use only)

The Rental Unit Information Sheet [RUI] must be completed by a landlord or agent who is submitting an **Application for a Rent Increase Above the Guideline (L5) for the reason of capital expenditures only**. You must include all units in the complex whether or not they are covered by the application. This includes units which are vacant or not rented.

Each address should be entered on its own row. If the rental units are located on more than one street, enter each street on a single line. **Exception:** If the addresses are individual addresses such as row houses, enter only the street name, street type and direction, if applicable. Under the *Address* tab (do not enter the street number. The street number is to be entered under the Rental Address tab, column B (Unit Number). For example: 255 Albert Street and 256 Albert Street would be entered under the *Address* tab as Albert Street and 255 and 256 would be entered as the unit number under the *Rental Address* tab.

After entering the address(es), please use the next Tab (RentalAddress) - one for each address - to input individual unit information including City, Province and Postal Code.

Please enter the street address(es) in the spaces provided below:

Total Unit

157

1	165 Ontario Street	157
2		0
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

See next pages for unit rental details