

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.



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

Supporting Documents for Tenants to View

Address: 165 ONTARIO STREET, ST. CATHARINES, Ont File Number: SC-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 Stadlight 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 [name]
at 647-725-0727 [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 MALL

Unit/Apt./Suite: 1100
Municipality (city, town, etc.): TORONTO
Province: ON
Postal Code: M9C 5J5

Day Phone Number: (416) 234 8444
Evening Phone Number: ()
Fax Number: (416) 234 8445

E-mail Address

Rental Unit Covered by this Application

Street Number: 165
Street Name: ONTARIO

Street Type (e.g. Street, Avenue, Road): STREET
Direction (e.g. East):
Unit/Apt./Suite: SEELIST

Municipality (city, town, etc.): ST CATHARINES
Province: ON
Postal Code: 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.

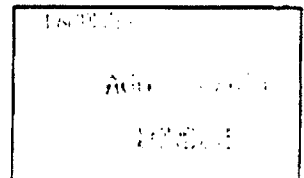
Rent Information

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.



10501

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

PAUL

Last Name

CAPPA

Company Name (if applicable)

COHEN HIGHLEY LLP

Mailing Address

255 QUEENS AVENUE

Unit/Apt./Suite

1100

Municipality (city, town, etc.)

LONDON

Province

ON

Postal Code

N6A 5R8

Phone Number

(519) 672 9330

Fax Number

(519) 672 5960

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.



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





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



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

