

APPLICATION FOR RENT INCREASE ABOVE GUIDELINE

BY

SHIPLAKE PROPERTIES LIMITED

**45 DUNFIELD AVENUE
TORONTO, ONTARIO
M4S 2H4**

Submitted by:

**COHEN HIGHLEY LLP
Barristers & Solicitors
11th Floor - One London Place
255 Queens Avenue
London, Ontario
N6A 5R8
(Phone) (519) 672-9330
(Fax) (519) 672-5960**

Agents for the Landlord



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*** Certified by the
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Licensed Paralegal
Paul Cappa

Counsel
Gerald Fridman
Q.C., F.R.S.C.
Mike Mollison
Q.C.
Gordon Carmichael
John Makins
Frank Highley

2013 Ontario
Chamber of
Commerce Leader
of Accessible
Employment Award
Winner.

2014 Consumer
Choice
Award
Winner
for
London and area.

March 30, 2015

Ms. Lorraine Roy
Hearings Coordinator
Landlord & Tenant Board
255 Albert Street, 4th Floor
Ottawa, Ontario
K1P 6A9

Dear Ms. Roy:

Re: L5 Application
45 Dunfield Avenue, Toronto, Ontario

I am the agent for the applicant landlord in connection with the above noted matter.

If an oral hearing is required for this application, then I would appreciate it if you would contact me at 519-672-9330 prior to fixing a hearing date for the application so that we can avoid any potential scheduling conflicts.

Thank you for considering this request.

Yours very truly,

COHEN HIGHLEY ^{LLP}

Paul Cappa, Paralegal, Partner
PC:pc
Enclosures



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

S H I P L A K E P R O P E R T I E S L I M I T E D ☐ Male ☐ Female ☒ Company

Last Name

Street Address

4 5 D U N F I E L D A V E N U E

Unit/Apt./Suite

Municipality (city, town, etc.)

Province Postal Code

O F F I C E T O R O N T O O N M 4 S 2 H 4

Day Phone Number

Evening Phone Number

Fax Number

(4 1 6) 4 8 8 1 1 5 8 () (4 1 6) 4 8 8 1 2 2 8

E-mail Address

Rental Unit Covered by this Application

Street Number

Street Name

4 5 D U N F I E L D

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

Direction (e.g. East)

Unit/Apt./Suite

A V E N U E S E E L I S T

Municipality (city, town, etc.)

Province

Postal Code

T O R O N T O O N M 4 S 2 H 4

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

5 7 5

How many rental units are covered by the application?

5 0 9

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?

0 1 / 0 7 / 2 0 1 5
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.

For Office use only: File Number

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.

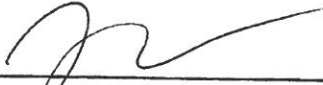
Part 3: Signature

Landlord's/Agent's Signature

☐ Landlord

☒ Agent

Date



30 / 03 / 2015
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	Riser Replacement	15/01/2015	25 yrs	\$1,724,016.97		\$1,724,016.97
2	Parcel Locker	29/12/2014	15 yrs	\$15,816.60		\$15,816.60
3	Plumbing Drain Repair	23/01/2015	20 yrs	\$68,489.30		\$68,489.30
4	Lighting Retrofit	5/3/2015	10 yrs	\$5,818.83		\$5,818.83
5	Heating System Retrofit	19/12/2013	20 yrs	\$1,699,277.91		\$1,699,277.91

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

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	Plumbing Fixture Replacement	31/01/2015	13 yrs	\$164,775.47		\$164,775.47
7	Recycling Container	15/09/2014	10 yrs	\$3,390.00		\$3,390.00

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



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

