## Dan McIntyre

September 26, 2023

To: Landlord Tenant Board

Cc: Paul Cappa for the landlord

Re: 45 Dunfield, Toronto

Re: LTB-L-080485-22

#### SUBMISSIONS ON BEHALF OF TENANTS

- 1.1 have again been retained by the 45 Dunfield Avenue Tenant Association (authorizations attached).
- 2. These tenants have been plagued by multiple above guideline applications. In the past, we were able to negotiate settlements and participate in the process.
- 3. Once again though we have been denied a proper hearing or a case management hearing.
- 4. Our ability under section 194 is taken away as well as our right to question or cross examine landlord witnesses.

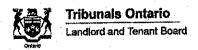
- 5. Written hearings are fundamentally unfair to tenants but does make it easier for the Board and for the Landlord.
- 6. Nonetheless, we submit the following.
- 7. The work claimed for the roof is a qualifying capital expenditure. However, we call for the useful life period to be changed to 20 years. A review of the regulations shows a number of different useful lives for roofs. With modern technology, the new roof should be expected to last longer than the old roof.
- 8. Further, the landlord states that the previous roof lasted more than 20 years on page 2 of schedule 2. (attachment circled).
- 9. We also submit that the air conditioner item be disqualified as it is not a major expenditure. An expenditure of \$14,000 in a building of 570 units is minor and is part of the operating costs of a building. This building brings in about \$2,000,000 PER MONTH. Ontario regulation 516/06 requires the expense to be extraordinary or significant.
- 10. The 2 changes we submit will bring the rent increase to 1.14%.
- 11. The Landlord has been willing in the past to negotiate or to accept less than what might be expected. We ask that the landlord agree to a notwithstanding agreement that the increase be 1.0%.

12. This building is full of seniors and working people. Incomes are not keeping pace with rent increases. And they are not keeping up with the multiple AGI increases.

All of which is respectfully submitted.

Dan McIntyre

Paralegal for Tenants



complete the table below.

O No

O No

O No

O Yes

O Yes

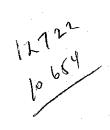
O Yes

ltem #	List the unit numbers that are not covered in	s in the complex that the capital expenditure item should NOT be applied to. Be sure to also include units by this application.
<del></del>		
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re ar	ny of the capital ex ly existed? If yes,	Attach additional sheets if necessary  penditure Items listed in section A a major repair or replacement of a system or thing that complete the table below.
	Did the Item require	If yes, explain why. Also indicate when the item was last replaced or repaired.
tem #	replacement or	If no, explain how the item provides access for persons with disabilities, promotes access for persons with disabilities.
item #	replacement or major repair?   Yes No	If no explain how the item http://des access to: Detaolis with discontines; promotes and as

B. Is the cost for each capital expenditure to be applied to all of the rental units in the residential complex? If not,

Attach additional sheets if necessary

Page 2 of 3



# Dan McIntyre

# Paralegal and Consulting Services

**AUTHORIZATION: 45 Dunfield Tenant Association** 

Date: September 8, 2023

Re: above guideline application

File Number:LTB-L-080485-22

I (we) the undersigned hereby authorize and retain Daniel McIntyre to be my legal representative in the above matter. This authorization is intended to be interpreted broadly so as to allow for any related matter including but not limited to; settlements, reviews, and appeals. This authorization can be revoked and is subject to my (our) instructions. The paralegal is directed to act in the best interests of all affected tenants.

Name (Please print legibly)

1. Awn E HAYES 45 Danfield AH

Signature

2..

Please add your telephone number and e-mail address

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Name (Please print legibly) Address

Signature

1.

2. Kathleen E. 45 Dunk'eld Ave, Kathlen E. Armstrong #2821 Aunstrong

Please add your telephone number and e-mail address

# Dan Mointyre

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Name

(Please print legibly)

1. JAMES MCLARITY 45 DUNFIELD AND GARLANTY

#2120 TO RONTO

MUS 244

Signature

2..

Please add your telephone number and e-mail address