

Application for a Rent Increase Above the Guideline Order

Form L5

Instructions

Use this form to apply to have the Landlord and Tenant Board issue an order allowing a rent increase of more than the guideline for any or all of the rental units in a residential complex.

You can obtain this form at the Landlord and Tenant Board office in your area or from the Board's website at www.LTB.gov.on.ca.

July 1, 2010

Part A. How to apply...

You can make this application if you are the landlord and you want the Board to allow you to increase the rent by more than the guideline for any or all of the rental units in a residential complex.

Step 1: Complete the application form

Read the instructions carefully before completing the form.

Step 2: If you are applying for a rent increase above the guideline because of increased operating costs, complete “Schedule 1 – Details of Operating Costs”.

Step 3: If you are applying for a rent increase above the guideline because you did capital expenditure work, complete “Schedule 2 - Details of Capital Expenditures” and complete the “Information about Rental Units in the Complex” form.

Note: If you complete Schedule 2, you must also complete a “Capital Expenditures: Additional Details” form for each capital expenditure item you are claiming.

When completing the “Information about Rental Units in the Complex” form, make sure you provide information about each rental unit in the residential complex, even if the rental unit is not covered by the application.

Step 4: Complete the “L5 Payment Information” Form

You must complete the Payment Information Form which is attached behind the last page of the application form. Instructions for completing it are found at the end of these instructions.

Step 5: File the application form, including Schedule 1 and/or Schedule 2, and the supporting documents with the Landlord and Tenant Board.

Documents you must include when you file the application

The application form: The application form includes pages 1, 2 and 3 of the L5 form and either Schedule 1 or Schedule 2 or both (depending on whether you have applied for a rent increase above the guideline for increases in operating costs, or because you have done capital expenditure work or both). You must give copies of the application form to the tenants along with the Notice of Hearing (see Step 6).

The Schedule of Parties form: You are required to provide the Board with a “Schedule of Parties” form which includes the names and addresses of all the tenants of the rental units covered by the application (see Part B. How to Complete this Form...on page 6). You are not required to give the tenants copies of the Schedule of Parties form when you give them copies of the application and the Notice of Hearing.

The supporting documents: When you file the application, you must provide the Board with evidence of the costs claimed in the application and proof that you have paid for those costs. These are the supporting documents. You do not have to give a copy of the supporting documents to the tenants when you give them copies of the application and the Notice of Hearing.

If you are applying for a rent increase above the guideline because you did capital expenditure work: You must complete two additional forms (see below) and you must provide the Board with additional copies of the application and supporting documents.

You must complete the following two forms and include them with your application as part of the supporting documents:

- Information about each rental unit in the complex on the form called: Information about Rental Units in the Complex.
- Information about each capital expenditure item claimed in the application on the form called: Capital Expenditures: Additional Details.

Note: Because the information you provide on these two forms is part of the supporting documents, you do not have to give copies of these forms to the tenants when you give them copies of the application and the Notice of Hearing.

You must also provide the Board with the following additional copies of the application and supporting documents:

- Two additional photocopies of the application form (including Schedule 1 and/or Schedule 2).
- Two additional photocopies of all the supporting documents (including the supporting documents related to operating costs, if you also applied for a rent increase above the guideline for increased operating costs).

- A compact disc that contains a scanned version of the supporting documents in portable document format (PDF). **Note:** You do not have to provide a compact disc of the supporting documents if the residential complex has six or fewer residential rental units, is located in a rural or remote area and you cannot reasonably provide the compact disc (for example, you do not have access to a facility that can scan the documents and create a compact disc).

If you do not provide the Board with all of the documents listed in this section at the time you file the application, a Member of the Board may refuse to allow you to file the documents at a later date. This may result in you being unable to prove your claim.

Filing your application and paying the fee

You can:

1. Bring the application and supporting documents to the nearest Board office.

If you file in person, you can pay by cash, certified cheque, money order, Visa, American Express or MasterCard. You can also pay by debit card at most locations.

2. Fax your application and supporting documents to the Board Regional Office in your area.

If you fax your application, you must pay by Visa, American Express or MasterCard.

3. Mail your application and supporting documents to the Board Regional office in your area. If you mail your application, you must pay by certified cheque, money order, Visa, American Express or MasterCard.

Certified cheques and money orders must be made payable to the Minister of Finance.

Make sure you have provided the necessary information about how you will pay the fee on the Payment Information Form. Your application will not be accepted if you do not pay the application fee at the time you file your application.

If you owe money to the Board as a result of failing to pay a fee, or any fine or costs set out in an order, your application may be refused or discontinued.

It is the applicant's responsibility to ensure that their application is correct and complete. Staff of the Landlord and Tenant Board will check applications for completeness; however, the Board Member who will make a decision on the application will ultimately determine whether or not it meets the requirements of the legislation. Where it does not, the application may be dismissed.

Scheduling the Hearing

After you have filed the application and paid the application fee, the Board will schedule a hearing and give you a Notice of Hearing. The Board may schedule either a written or an oral hearing.

In an oral hearing, the landlord and the tenant(s) come before a Board Member to present any evidence and submissions they have about the application. In a written hearing, landlords and tenants file their evidence and submissions about the application in writing to the Board. A Member makes a decision based on these documents without holding a meeting between the parties.

When the Board gives you a copy of the Notice of Hearing, the Board will also give you:

- a copy of the application to keep for yourself,
- a blank Certificate of Service form (see Step 8),
- a copy of the application and the Notice of Hearing for the other party(ies) (you will need make copies for each tenant covered by the application), and,
- instructions for giving the application and the Notice of Hearing to the other party(ies).

This is called the application package.

Step 6: Give a copy of the application and the Notice of Hearing to the tenant(s)

If the Board decides to hold an oral hearing, you must give the tenants a copy of the application (including Schedule 1 and/or Schedule 2 as applicable) and a copy of the Notice of Hearing at least 30 days before the hearing. If the Board decides to hold a written hearing, you must give the tenants a copy of the application and the Notice of Written Hearing by the date set out in the Notice of Written Hearing. There are many ways you can do this. For example, you can:

- hand the copies directly to the tenant or to an adult in the tenant's rental unit,
- leave the copies in the tenant's mailbox or where mail is ordinarily delivered,
- place the copies under the door of the rental unit or through a mail slot in the door,
- send the copies by fax to a fax machine where the tenant carries on business or to a fax machine in their residence,

- send the copies by courier (if you courier them, you must allow one business day for delivery),
- send the copies by mail (if you mail them, you must allow five days for delivery),
- if the tenant has a lawyer or an agent, you can give the tenant's lawyer or agent the copies by mail, hand delivery, courier or fax.

You are **not** required to give copies of the Schedule of Parties, the Information about Rental Units in the Complex form or the Capital Expenditures: Additional Details form to the tenants when you give them copies of the application form and Notice of Hearing.

Keep a copy of the application, the Notice of Hearing and the supporting documents for yourself.

Step 7: If you are applying for a rent increase above the guideline because you did capital expenditure work, you must make a copy of the supporting documents available to the tenants

If you are applying for a rent increase above the guideline because you did capital expenditure work, you must make a copy of all the supporting documents you filed with the application available to the tenants of the residential complex (see Step 5 for a list of the supporting documents).

- If you have an office in or close to the residential complex, you must allow the tenants to view a copy of the supporting documents during normal business hours.
- If you are required to provide the Board with a compact disc containing the supporting documents (see Step 5), then you must also provide a copy of the compact disc to a tenant who requests it. You cannot charge more than five dollars for the compact disc. Alternatively, if you and the tenant agree, you can provide either of the following:
 - a photocopy of the supporting documents at a reasonable charge based on your 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 you are not required to provide the Board with a compact disc containing the supporting documents (see Step 5), then you must provide a photocopy of the supporting documents for a charge of not more than five dollars.

Step 8: File a Certificate of Service with the Board

You must file a Certificate of Service with the Board showing when and how you gave a copy of the application and the Notice of Hearing to the tenant(s). If the Board scheduled an oral hearing, you should file the certificate as soon as possible after you give the other parties a copy of the application and the Notice of Hearing. The Certificate of Service form is available from the Board.

If the Board scheduled a written hearing, you must file the certificate by the date set out in the Notice of Written Hearing. If you don't file the certificate by this date, the Board could dismiss your application.

Step 9: The Board will process the application, hold a hearing and issue a written decision called an order

If an oral hearing has been scheduled, you should come to the hearing prepared to support your application. If you are applying only because of increased operating costs you should bring a detailed list of rents, setting out the current rent charged for each rental unit covered by the application and the frequency of the rental payments. If there are any documents (in addition to the ones you have attached to the application) or other information that you will be relying on, you should bring them to the hearing. You should make extra copies for the Board and the tenants. You should also bring any witnesses you may need to prove your claim.

If you need to summon a witness, you can obtain a "Request for the Board to Issue a Summons" form from the Board.

Part B. How to complete this form...

The information you fill in on the form will be read electronically, therefore it is very important that you follow these instructions carefully. **Print in capital letters and do not touch the edges of the boxes.** If there are more boxes in a line than you need, leave the extra boxes blank. Do not fill in boxes that do not apply to you (for example, if you do not have a fax number, do not fill in boxes in the space marked "Fax Number"). If the instructions tell you to shade a box (for example, boxes marked "Yes" or "No"), shade the box completely.

See the following example.

Fill in the total number of rental units in the complex. Then, fill in how many rental units are covered by your application. If all of the rental units are covered by the application, write “all”.

If the application does not cover all of the rental units in the complex, and if you are only applying because of increased operating costs fill in a list of the rental units that are covered by the application on a separate sheet and file it with the application.

**Tenants’
Names and
Address**

Fill in the names, addresses (including the unit numbers) and telephone numbers of any tenants on the “Schedule of Parties” form which is available from the Board. You are not required to give the tenants copies of the Schedule of Parties form when you give them copies of the application and the Notice of Hearing.

**Date of the
First Intended
Rent Increase**

Fill in the date the first intended rent increase for the units covered by the application will take effect. This date should be at least 90 days after the day you file the application.

Previous Order

If a previous order was issued under the *Residential Tenancies Act* increasing the rent above the guideline, then fill in the file number of that order. If there has been more than one previous order, fill in the file number for the most recent order.

Part 2: Reasons for Your Application

On the form, shade the boxes that indicate your reasons for applying for a rent increase above the guideline. You may base the application on one or more of the following reasons:

1. The municipal taxes and charges for the complex increased by an “extraordinary” amount.

Shade this box if there has been an extraordinary increase in the cost of municipal taxes and charges for the complex in the previous calendar year. Municipal taxes and charges include taxes charged to a landlord by a municipality, charges levied on a landlord by a municipality, taxes levied on a landlord’s property in unorganized territory and education taxes.

An increase in the cost of municipal taxes and charges is extraordinary if it is greater than the annual rent increase guideline plus 50% of the guideline. Use the guideline for the year in which the first intended rent increase for the units covered by the application will take effect.

Example: If the guideline is 1.8%, then the guideline plus 50% of the guideline is 1.8% + 0.9% = 2.7%. If the landlord’s taxes have gone up by 3.2%, then this increase is “extraordinary”.

If you are applying for this reason complete Part A of Schedule 1.

2. The utility costs for the complex increased by an “extraordinary” amount.

Shade this box if there has been an extraordinary increase in the cost of utilities. Utilities include heat, electricity and water.

When determining the amount of the operating costs in the application, the Board will not consider any Goods and Services Tax (GST), Harmonized Sales Tax (HST) or Provincial Sales Tax (PST) you paid with respect to these utilities.

An increase in the cost for utilities is extraordinary if it is greater than the annual rent increase guideline plus 50% of the guideline. Use the guideline for the year in which the first intended rent increase for the units covered by the application will take effect.

Example: If the guideline is 1.8%, then the guideline plus 50% of the guideline is $1.8\% + 0.9\% = 2.7\%$. If the landlord’s utility costs have gone up by 3.2%, then this increase is “extraordinary”.

If you are applying for this reason complete Part B of Schedule 1.

3. Operating costs for security services for the complex have been experienced for the first time or have increased.

Shade this box if you are providing security services to the complex for the first time, or if your operating costs for security services have increased. Security services must be provided by persons who are not your employees.

If you are applying for this reason complete Part B of Schedule 1.

4. Capital expenditure work was done.

Shade this box if you are applying because you have done capital expenditure work. A capital expenditure is an expenditure for an extraordinary or significant renovation, repair, replacement or new addition. The expected benefit of a capital expenditure must be at least five years. Expenditures on routine maintenance or on work that is substantially cosmetic in nature are not considered to be capital expenditures and cannot be claimed in the application.

The capital expenditure work must have been completely paid for when you file the application. The work must also have been completed within the 18 month period that ends 90 days before the date the first intended rent increase for the units covered by the application will take effect.

If you shaded this box, complete Schedule 2. Also complete the Information about Rental Units in the Complex form and a Capital Expenditures: Additional Details form for each capital expenditure item you are claiming.

Signature Sign your name and include the date you are signing this form.

If you are the landlord or an officer signing for a corporation, shade the box marked "Landlord". If you are an agent, shade the box marked "Agent".

Print your name below your signature.

If you are an agent or an officer signing for a corporation, also include your name, company name (if applicable), mailing address, telephone and fax number and e-mail address.

If an agent signs the form, the agent must have written authorization from the landlord. The agent should bring the authorization to the hearing.

Schedule 1: Details of Operating Costs

You must fill out this Schedule if you are applying for a rent increase above the guideline because of increased costs for:

- municipal taxes and charges,
- utilities, or
- security services

You must attach evidence of costs and payment for all the costs you are applying for (see Step 5). As well, if you are applying because of an extraordinary increase in costs for municipal taxes and charges and/or utilities and you received any grants or other forms of financial assistance, rebates and/or refunds that effectively reduced the operating costs you are claiming, you must attach evidence of the amount(s) you received. Evidence could include invoices, receipts, cancelled cheques or a letter from the supplier confirming the costs and that payment was received or indicating the amount of any rebate given.

A. Municipal Taxes and Charges

The accounting periods for municipal taxes and charges are made up of a reference year and a base year. The base year is the most recent calendar year completed 90 days before the date the first intended rent increase for the rental units covered by the application will take effect. The reference year is the calendar year immediately before the base year.

For example, if the first intended rent increase for the units covered by the application will take effect on September 1, 2008, the base year is calendar year 2007 and the reference year is calendar year 2006.

On the form, fill in the accounting periods and the costs you experienced during each period.

In order to allocate the costs to the units affected by the increase for municipal taxes and charges and covered by the application, the Board needs to know whether or not the costs affect all the units in the complex.

- Shade the first box if the costs affect all of the rental units in the complex.
- Shade the second box if the costs affect some, but not all, of the rental units in the complex.

Rebate, Refund or Other Financial Assistance:

On the form, shade either the “Yes” or “No” box to indicate whether you received any refunds, rebates, grants or other type of financial assistance for municipal taxes and charges that affect the costs for the base year and/or the reference year.

- If you answered “Yes”, then you must complete the table on the form by providing information on the “Source” of the rebate, grant, etc., the “Period” that it covers and the “Total Amount” you received. You must also file evidence which proves the amount(s) you received and the period it applies to.

As well, you must answer the question on the form below the table. Shade either the “Yes” or “No” box to indicate whether the amount of the rebate, grant, etc. was taken into account in arriving at the costs you claimed for the base year and/or reference year.

- If you answered “No”, then you do not have to complete the rest of Part A on the form. However, if you receive a rebate, grant, or other type of financial assistance at any time prior to the end of the hearing for this application, then you must file evidence of the rebate, grant, etc. which proves the amount you received and the period that it covers. This evidence must be filed with the Board before the end of the hearing.

B. Utilities and Security Services

The accounting periods for utilities and security services are made up of a reference year and a base year. The base year is your most recent 12 month accounting period completed at least 90 days before the date of the first intended rent increase for the rental units covered by the application will take effect. The reference year is the 12 month accounting period immediately before the base year. The accounting periods for utilities and security services can be different from those for municipal taxes and charges.

If a previous order has been issued by the Board for this residential complex allowing you to increase the rent above the guideline, the accounting periods for this application must start and end on the same days as those chosen for the previous order.

Fill in the accounting periods and the costs you experienced during each period. You should exclude any costs related to GST, HST and PST you paid on utilities. Write “not applicable” in the appropriate columns if you are not applying for one or the other of these two cost categories.

After you have determined the accounting periods, fill in your costs for each period for each sub-category of utilities and for security services. If you have applied for the utilities category, you must provide the costs for each subcategory of heat, electricity and water. If tenants pay for their own utilities, you must provide the common area costs, if any. If you do not experience any costs for a utilities sub-category, write “not applicable” in the appropriate columns.

In order to allocate the costs to the units affected by the cost categories and covered by the application, the Board needs to know whether or not the costs affect all the units in the complex.

- Shade the first box if the costs affect all of the rental units in the complex.
- Shade the second box if the costs affect some, but not all, of the rental units in the complex.

Utilities - Rebates, Refunds or Other Financial Assistance:

If you are applying for utilities, then on the form, shade either the “Yes” or “No” box to indicate whether you received any refunds, rebates, grants or other type of financial assistance that relate to the costs for the base year and/or the reference year.

- If you answered “Yes”, then you must complete the table on the form by providing information on the “Source” of the rebate, grant, etc., the “Utility” that it applies to (i.e. heat, electricity or water), the “Period” that it covers and the “Total Amount” you received. You must also file evidence which proves this information.
- If you answered “No”, then you do not have to complete the rest of Part B on the form. However, if you receive a rebate, grant, or other type of financial assistance at any time prior to the end of the hearing for this application, then you must file evidence of the rebate, grant, etc. which proves the amount you received and the period that it covers. This evidence must be filed with the Board before the end of the hearing.

As well, you must answer the question on the form below the table. Shade either the “Yes” or “No” box to indicate whether the amount of the rebate, grant, etc. was taken into account in arriving at the costs you claimed for the base year and/or reference year.

C. Do any of the operating cost categories relate to non-residential portions of the complex or other residential complexes?

Shade either the “Yes” or “No” box to indicate whether any of the operating cost categories relate to non-residential portions of the complex or other residential complexes. If you answered “Yes”, you must list the cost category and provide details about how you propose the costs should be allocated. You can propose to allocate the costs based on floor area, market value, or revenue generated. If none of these methods are reasonable, you may propose another method. You can propose different methods for allocating the costs for different operating cost categories.

For the method you propose, you must provide the information necessary to allocate the costs between the residential portions and non-residential portions of the complex (or other residential complexes). For example, if you propose that costs should be allocated based on revenue generated and the operating cost category relates to non-residential portions of the complex, you must determine the revenue generated by the residential portions and non-residential portions of the complex and provide the details in the space provided.

D. Information about Units Affected by Operating Costs

In Column 1, list the unit numbers for those units that are both affected by the cost category and covered by the application. In Column 2, provide the total current rent charged for the units listed in Column 1. In Column 3, provide the total current rent charged for all the units in the residential complex that are affected by the cost category.

If a unit in the complex that is affected by the cost category is currently vacant or not rented, use the average rent for all the rental units in the residential complex.

Example: A landlord wants to increase the rent by more than the guideline for four rental units (units 1, 2, 3 and 4) in a residential complex that has a total of six rental units. Unit 5, which is not covered by the application, is vacant. Unit 6 is rented, but is not covered by the application. The landlord claims that the utility costs increased by an “extraordinary” amount. The landlord provides heat to units 1, 2, 5 and 6 but not to units 3 and 4. The landlord provides electricity and water to all the units. The monthly rents for the units in the complex are as follows:

Unit 1: \$900 Unit 2: \$700 Unit 3: \$800
Unit 4: \$800 Unit 5: \$0 Unit 6: \$900

The landlord calculates the average rent for the units in the complex as follows:
 $(\$900 + \$700 + \$800 + \$800 + \$900) \div 5 = \820 - this is what he includes for the rent for unit 5 in the calculations below.

The landlord calculates the total rent charged for the units that receive heat and are covered by the application as follows: $\$900$ (unit 1) + $\$700$ (unit 2) = $\$1600$

The landlord calculates the total rent charged for all the units in the complex that receive heat as follows: $\$900$ (unit 1) + $\$700$ (unit 2) + $\$820$ (unit 5) + $\$900$ (unit 6) = $\$3320$

The landlord calculates the total rent charged for the units that receive electricity and water and are covered by the application as follows:

$\$900$ (unit 1) + $\$700$ (unit 2) + $\$800$ (unit 3) + $\$800$ (unit 4) = $\$3200$

The landlord calculates the total rent charged for all the units in the complex affected by electricity and water as follows:

$\$900$ (unit 1) + $\$700$ (unit 2) + $\$800$ (unit 3) + $\$800$ (unit 4) + $\$820$ (unit 5) + $\$900$ (unit 6)
= $\$4920$

The landlord therefore completes the Table as follows:

Operating Cost Categories	Column 1	Column 2	Column 3
Utilities - Heat	Units 1 and 2	\$1600 per month	\$3320 per month
- Electricity	Units 1, 2, 3 and 4	\$3200 per month	\$4920 per month
- Water	Units 1, 2, 3 and 4	\$3200 per month	\$4920 per month

Schedule 2: Details of Capital Expenditures

A. Description and Costs

If you are applying for a rent increase above the guideline because you incurred capital expenditures, you must fill out this Schedule completely.

You must attach evidence of costs and payment for all the costs you are applying for. Evidence of costs and payment could include invoices, receipts, cancelled cheques or a letter from the contractor or supplier confirming the costs and that payment was received. You must also attach a “Capital Expenditures: Additional Details” form for each capital expenditure item you are claiming.

Assign an item number to each capital expenditure item that you are claiming. Provide a description of the work, the date the item was completed, the labour/material and contract costs and the value of landlord's own labour (see below). Also list the total cost of each item.

The total cost of each item is the sum of the labour/material and contract costs and the value of the landlord's own labour.

If you are applying for more than five capital expenditure items, complete additional copies of this Schedule.

Useful Life

Include the “useful life” for each capital expenditure item that you are claiming. The useful life is the estimated number of years that the capital expenditure is expected to last or benefit the complex. A list of capital expenditure items and the useful life for each item is set out in a Schedule attached to the regulations made under the *Residential Tenancies Act* (O.Reg. 516/06). A copy is also attached at the end of these instructions.

If the capital expenditure item that you are claiming was previously used, then take into consideration the length of time that it was used when you determine the useful life for the item.

For example, according to the Schedule, the useful life of a refrigerator is 15 years. If you

purchased a refrigerator that was previously used for 2 years then you would determine the useful life for the refrigerator to be 13 years.

If the capital expenditure item is not listed in the Schedule, then include the useful life of an item listed in the Schedule that has similar characteristics. If there are no similar items listed, then you should include the number of years that is generally accepted as the useful life for the item you are claiming.

Note: If the useful life in the Schedule is less than 10 years, the regulations state that the useful life will be deemed to be 10 years. A member cannot consider a useful life that is less than 10 years.

Landlord's own labour

When determining the value of the landlord's own labour, you must provide information on the number of hours you spent doing the work, the hourly rate and the total value claimed. Do not include any amount of time you spent on the management and administration of the capital work. The hourly rate you are claiming must be reasonable based on your experience and skill in the type of work that was done. Calculate the total value by multiplying the number of hours you spent by the hourly rate.

Claiming a leased asset

If you want to claim a leased asset as a capital expenditure item, you should provide a copy of the lease. The cost you should claim is the market value of the item at the start of the lease. Fill in the market value under the column for the labour/material and contract costs of the capital expenditure item.

Do the costs affect all the units in the complex?

In order to allocate the costs to the units affected by a capital expenditure item and covered by the application, the Board needs to know whether or not the costs affect all the units in the complex.

- Shade the first box if the costs affect all of the rental units in the complex.
- Shade the second box if the costs affect some, but not all, of the rental units in the complex. If you shaded this box, you must provide the necessary details under B.

B. If any of the capital expenditure items affect some, but not all of the rental units in the complex...

You must complete this part if one or more of the capital expenditure items affect some, but not all of the rental units in the complex. Identify the item number. In Column 1, write down the unit numbers of all the units that are affected by the item and covered by the application. In Column 2, list the unit numbers for those units that are affected by the item but are not covered by the application.

For example, a landlord wants to increase the rent by more than the guideline for four rental units (units 1, 2, 3 and 4) in a residential complex that has a total of six rental units. The landlord claims that new carpets were installed in unit 1, unit 2, unit 5 and unit 6. The landlord completes the Table as follows:

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)
1. Carpets	Units 1 and 2	Units 5 and 6

C. Did you receive any money from an insurer, government grants or forgivable loans or other assistance, trade-in, salvage or resale for any capital expenditure item(s)?

Shade either the “Yes” or “No” box to indicate whether you received any money from an insurer, government grants or forgivable loans or other assistance, trade-in, salvage or resale for any capital expenditure item(s).

- If you answered “Yes”, you must provide information regarding grants and assistance from any level of government for the capital expenditures. You must also provide information about any insurance, resale, salvage and trade-in proceeds you received for any of the capital expenditure items. In the table provided, list the item number, the source of the funds and the amount you received for that item.
- If you answered “No”, but you receive money from an insurer, government grants or forgivable loans or any other assistance, trade-in, salvage or resale for any capital expenditure item(s) at any time prior to the end of the hearing of this application, then you must provide this information to the Board before the end of the hearing.

D. Do any of the capital expenditure items relate to non-residential portions of the complex or other residential complexes?

Shade either the “Yes” or “No” box to indicate whether any of the capital expenditure items relate to non-residential portions of the complex or other residential complexes. If you answered “Yes”, you must list the item number and provide details about how you propose the costs should be allocated. You can propose to allocate the costs based on floor area, market value, or revenue generated. You can propose different methods for allocating the costs for different capital expenditure items. If none of these methods are reasonable, you may propose another method.

For the method you propose, you must provide the information necessary to allocate the costs between the residential portions and non-residential portions of the complex (or other residential complexes). For example, if you propose that costs should be allocated based on revenue generated and the capital expenditure item relates to non-residential portions of the complex, you must determine the revenue generated by the residential portions and non-residential portions of the complex and provide the details in the space provided.

Part C. How to fill out the Information about Rental Units in the Complex form...

If you are applying for a rent increase because you did capital expenditure work, you must complete this form with information about each rental unit in the complex. You must include rental units that are not covered by the application and rental units that are vacant or not rented.

If you need additional rows in order to provide the information about all rental units in the complex, complete and attach additional copies of the form. At the bottom of each page, indicate the page number and the total number of pages you included. For example, if you use three pages in total, write ‘Page 1 of 3’ on the first page of the form.

Unit number

Indicate the unit number for each residential rental unit in the complex (do not include commercial units). List the unit numbers in order where possible. For example, if the complex has three floors and three units on each floor, you would list the units on the first floor in order, followed by the units on the second floor and ending with the units on the third floor. E.g. 101, 102, 103, 201, 202, 203, 301, 302, 303.

Unit not covered by the application

Place an “X” in this column if the rental unit identified in the first column is a rental unit that is not covered by the application.

Total current rent

In this column, fill in the total current rent for the rental unit identified in the first column. The total current rent for a unit includes the basic rent for the rental unit and any amount the tenant pays to the landlord separately for services (for example, for a parking space). If a unit is vacant or not rented, fill in "\$0.00" as the total current rent.

Frequency of the rent

Fill in how often the tenant of the rental unit pays the rent (for example, per month or per week).

Date current tenancy began

Fill in this column for every rental unit covered by the application where the tenancy began on a date that is less than 18 months before the deadline to file the application. The deadline to file the application is 90 days before the date the first intended rent increase for rental units covered by the application will take effect.

For example, if the first rent increase for a rental unit covered by an application will take effect on June 1, 2007, the landlord's deadline to file the application would be March 2, 2007 (90 days before June 1). The landlord would fill in the date the tenancy began in this column for every rental unit where the tenancy began after October 2, 2005 (18 months before March 2, 2007).

Example: A landlord wants to increase the rent by more than the guideline for four rental units (units 1, 2, 3 and 4) in a residential complex that has a total of six rental units. Unit 5 is vacant. Unit 6 is rented but is not covered by the application. The first rent increase for a rental unit covered by the application will be June 1, 2007. The landlord's deadline to file the application is March 2, 2007. The tenancy for unit 4 began on January 1, 2006. The tenancies for the other units covered by the application began before October 2, 2005 (the start of the 18 month period referred to above). The monthly rents for the units in the complex are as follows:

Unit 1: \$900	Unit 2: \$700	Unit 3: \$800
Unit 4: \$800	Unit 5: \$0	Unit 6: \$900

This is how the landlord filled out the Information about Rental Units in the Complex form:

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/yy) (Complete only if the tenancy began less than 18 months before the deadline to file the application)
1		\$ 900.00	month	
2		\$ 700.00	month	
3		\$ 800.00	month	
4		\$ 800.00	month	01/01/2006
5	X	\$ 0.00	month	
6	X	\$ 900.00	month	

Part D. How to fill out the Capital Expenditures: Additional Details form...

If you are applying for a rent increase because you incurred capital expenditures, you must complete this form for each capital expenditure item you claim.

You may need more than one row to provide all the information for each contractor and/or supplier so be sure to list all the invoices and payments related to a contractor or supplier before you list the information for the next contractor or supplier. (See the example at the end of this section.)

If you require more than one form to provide all the information for an item, you must complete additional copies of the form. At the bottom of each page, indicate the page number and the total number of pages (copies) included for the item. For example, if an item requires three pages in total write 'Page 1 of 3' on the first page of the form. For each additional page you include for an item, write the item number at the top of the page (under Item number and description of work), and write "continued". It is not necessary to repeat the total labour, material and contract costs, or the date the work was completed.

Item number and description of work

Indicate the item number that you chose for this capital expenditure item on Schedule 2: Details of Capital Expenditures, and describe the work done.

Total labour, material & contract costs claimed in application for this item (not including landlord's own labour).

Include the total labour, material and contract costs for this capital expenditure item. This amount must be the same as the amount you indicated in Schedule 2 for this item. Do not include the value of the landlord's own labour.

Date work completed

Include the date the work for this item was completed. This date must be the same as the date you indicated on Schedule 2 for this item.

Contractor/supplier

In the first column, indicate the name(s) of the contractor(s) and/or supplier(s) you used for this capital expenditure. As indicated above, you will need to allow enough rows to identify all the invoices and payments related to a contractor or supplier before you list the information for the next contractor or supplier. (See the example at the end of this section).

Invoice/bill number

In this column, list all of the invoices or bills this contractor or supplier gave you in successive rows. If you paid for a particular invoice in more than one installment, remember to allow a row on the chart for each payment before listing the next invoice. (See the example at the end of this section.).

If you received an invoice or bill which is not numbered (for example, a bill from a retail store), indicate N/A (not applicable) in this column.

Invoice/bill date

In this column, indicate the date of each invoice or bill.

Invoice/bill amount

In this column, indicate the total amount of the invoice or bill, even if part of the invoice or bill is not related to this item. For example, if the invoice was for \$400, but \$150 related to a different capital expenditure item, include \$400 in this column. Use the 'Remarks' column to explain the discrepancy. (See the example at the end of this section).

Method of Payment

In this column, indicate how you paid for each invoice or bill. For example, if you paid with your American Express Card, you could write "Amex" in this column.

Cheque number

In this column, include the cheque number if you paid for the invoice or bill by cheque. If you

did not pay by cheque, write "N/A" in this column. If you paid using more than one cheque, list the cheque number for each cheque in successive rows.

Payment amount

In this column, indicate the total amount of the payment, even if part of the payment relates to another item. Use the "Remarks" column to explain what the payment covered, and, if a portion related to another capital expenditure item, to identify that item.

If you paid for more than one invoice or bill from a particular contractor or supplier at one time, indicate the total amount you paid in this column. For example, if you received two invoices from a particular supplier, one for \$300, and one for \$400, and paid for both invoices with a cheque for \$700, you would include \$700 in this column. Use the 'Remarks' column to explain that the payment covered more than one invoice, and to identify the relevant invoices.

Payment date

In this column, include the date you made the payment.

Amount related to this item

In this column, indicate the amount of the payment that relates specifically to this capital expenditure item. For example if you made a payment of \$900 for a particular invoice, but \$300 of that invoice applied to a different capital expenditure item, you would write \$600 in this column.

Add all the amounts in this column and include the total under "Total" at the bottom of the chart. If you used more than one page for this capital expenditure item, include the total on the final page. The total you indicate in this column should be the same as the amount you included in "Total labour, material & contract costs..." at the top of the form.

Remarks

Use the Remarks column to explain anything that might not be clear on the chart itself. For example, if an invoice included amounts unrelated to the capital expenditure item, and therefore, the invoice amount was higher than the amount related to this item, you would explain the discrepancy here.

Below is an example which illustrates how to fill out the chart in different situations.



Capital Expenditures: Additional Details

Item number and description of work: Item 1 Upgrade kitchens in units 101 and 103: electrical work, new appliances, new countertops and cupboards.	Total labour, material & contract costs claimed in application for this item (not including landlord's own labour): \$ 8988.00	Date work completed: 28/02/07
--	---	---

Name of contractor/supplier	Invoice/bill number	Invoice/bill date (dd/mm/yy)	Invoice/bill amount \$	Method of payment	Cheque number	Payment amount \$	Payment date (dd/mm/yy)	Amount related to this item \$	Remarks:
A1 Maintenance Service	149	07/02/07	673.00	Cheque	41106	673.00	07/03/07	328.00	1) re: invoice #149: \$345 of the \$673 relates to item #2. 2) re: invoices #408 & #761: paid together by cheque 42990 for \$2031. 3) re: invoice #16113: the total of \$2500 includes \$500 related to item #3. 4) re: bill from Sam's Lumber and Building Supplies dated 14/02/07 for \$621: \$113 relates to items not claimed in this application.
	156	14/02/07	1024.00	Cheque	42431	500.00	14/03/07	1024.00	
				Cheque	42897	524.00	20/03/07		
	161	18/02/07	735.00	Cheque	43124	735.00	25/03/07	735.00	
Allan's Woodworking	708	12/02/07	1599.00	Cheque	42990	2031.00	20/03/07	1599.00	
	761	28/02/07	432.00					432.00	
Appliance Depot	16113	14/02/07	2500.00	Visa	N/A	2500.00	14/02/07	2000.00	
Joe the Electrician	079	28/02/07	2362.00	Cheque	44003	2362.00	28/03/07	2362.00	
Sam's Lumber and Building Supplies	N/A	14/02/07	621.00	Visa	N/A	621.00	14/02/07	508.00	
								Total*: \$	8988.00

*The amount shown in "Total labour, material and contract costs claimed in application for this item ..." should be the same as the total for "Amount related to this item"

E. How to fill out the Payment Information Form...

You must complete the Payment Information Form.

Part 1: Application Fee

How are you paying the application fee?

On the Payment Information Form, shade the correct box to show whether you are paying by cash, debit card, certified cheque, money order, Visa, American Express or MasterCard (you cannot pay by cash or debit card if you are filing your application by fax or mail). If you are paying by Visa, American Express or MasterCard, include the cardholder's name and signature, the card number and expiry date. The information you fill in on this part of the form is confidential. It will be used to process your application, but will not be placed on the application file.

Important:

will not be accepted if you do not pay the application fee at the time you file your application.

Your application If you owe money to the Board as a result of failing to pay a fee, or any fine or costs set out in an order, your application may be refused or discontinued.

Part 2: Interpretation Services Required

Indicate whether you require interpretation services

If you require French language services, shade the box for French language services. The Board will only provide French language services if you live in an area of the Province designated for French language services or if the rental unit or complex that is covered by the application is in an area designated for French language services. If you are not sure if you live in a designated area, you can contact the Board for more information.

If you require sign language services, shade the box for Sign language services. The Board will arrange for an interpreter to attend the hearing.

If you need more information...

The Board has Rules of Practice that set out procedural rules which may affect the outcome of your application. In addition, the Board has Interpretation Guidelines which explain how the Board might decide specific issues that could arise in your application. You can purchase a copy of the Rules and Guidelines from the Landlord and Tenant Board office in your area or view them online at the Board's website www.LTB.gov.on.ca.

If you need more information or have any questions, call the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. You can also check the status of your application by visiting the Board's website at www.LTB.gov.on.ca.

SCHEDULE OF USEFUL LIFE OF WORK DONE OR THING PURCHASED

Column 1	Column 2
Work done or thing purchased	Useful life in years
Sitework	
1. Fences	
i. Concrete	20
ii. Steel, Chain Link	15
iii. Metal, Wrought Iron	25
iv. Wood	15
2. Landscaping	
i. Dead Tree Removal	20
ii. New Trees	20
iii. Shrub Replacement	15
iv. Sodding	10
3. Parking Lot, Driveways and Walkways	
i. Asphalt	15
ii. Concrete	15
iii. Gravel	10
iv. Interlocking Brick	20
v. Repairs	5
Concrete	
1. Curbs and Patio Slabs	15
2. Foundation Walls	20
3. Garage Concrete Floor (Slab) and Rebar Repairs	10
4. Retaining Walls	25
5. Stairs and porches	10
6. Balcony Slabs	10
Masonry	
1. Chimney	
i. Masonry (Brick, Block)	20
ii. Metalbestos Type	15
iii. Repairs, Masonry	15
2. Masonry	
i. Repairs, Tuck Pointing	15
ii. Replacement	20
3. Sandblasting	25
Metals	
1. Balcony Railings, Steel	15
Wood and plastics	
1. Balcony Railings, Wood	10
2. Decks and Porches	20
3. Retaining Walls, Wood	15
Thermal and Moisture Protection	
1. Caulking	10
2. Eavestrough and Downpipes	
i. Aluminium, Plastic	15
ii. Galvanized	20
3. Garage Conc. Floor, Waterproofing	
i. Membrane	15
ii. Sealer	5
4. Insulation	20
5. Metal Flashing	
i. Aluminium	25
ii. Galvanized, Painted	15
iii. Steel, Prefinished	10
6. Roof	
i. Cedar Shakes	25

	ii. Clay Tiles	25
	iii. Built Up	15
	iv. Inverted four-ply	20
	v. Metal Panels	25
	vi. Sarnafil	25
	vii. Single ply	20
	viii. Slate	25
	ix. Sloped (Asphalt Shingles)	15
	x. Repairs	5
7.	Siding	
	i. Asphalt Shingles	15
	ii. Cedar	25
	iii. Cedar Shakes	25
	iv. Insulated Panel, Aluminium	25
	v. Steel	25
	vi. Masonite	20
	vii. Plywood	10
	viii. Stucco	20
8.	Soffits and Fascia	
	i. Aluminium	25
	ii. Gypsum	15
	iii. Plywood	20
	iv. Pre-finished Steel	25
	v. Vinyl	25
	vi. Wood	15
9.	Waterproofing, Above Ground	15
	Doors and Windows	
1.	Aluminium Storm Doors and Windows	15
2.	Doors	
	i. Aluminium, Steel	20
	ii. Patio	20
	iii. Wood	20
3.	Garage Door and Operator	10
4.	Lock Replacement, Building	20
5.	Window Framing	
	i. Aluminium	20
	ii. Wood	15
	Finishes	
1.	Carpets	
	i. Common Areas	10
	ii. Ensuite	10
2.	Flooring	
	i. Asphalt	10
	ii. Ceramic Tile	10
	iii. Hardwood	20
	iv. Linoleum	10
	v. Marble	25
	vi. Parquet	20
	vii. Quarry Tile	10
	viii. Restaining	5
	ix. Rubber Tiles	20
	x. Sanding	5
	xi. Vinyl Tile	10
3.	Gypsum Board	
	i. Repairs	5
	ii. Replacement	20
4.	Marble Wall Panels	25
5.	Mirror Panels	10
6.	Painting	
	i. Exterior: Walls, Trim, Balconies	5
	ii. Interior: Common Areas, Ensuite	10
7.	Panelling	20

8.	Suspended Ceilings	
	i. Fibre	15
	ii. Metal	25
9.	Wallcovering, Vinyl	10
Specialties		
1.	Bicycle Racks	10
2.	Building, Storage/Service	20
3.	Lockers	
	i. Recreational	15
	ii. Storage	15
4.	Mailboxes	15
5.	Playground Equipment (Swings, etc.)	10
6.	Satellite Dish	10
7.	Saunas	
	i. Heaters	10
	ii. Walls	15
8.	Steel Television Antennae	15
9.	Swimming Pool	
	i. Above Ground	10
	ii. Ceramic Tile	15
	iii. Concrete	20
	iv. Heater	10
	v. Painting	5
	vi. Pump, Filter	15
	vii. Vinyl	15
10.	Whirlpool, Jacuzzi	15
Equipment		
1.	Backhoe	10
2.	Dehumidifiers	10
3.	Floor Polishers	
	i. Commercial	15
	ii. Domestic	5
4.	Front End Loader	10
5.	Garbage Bins, Boxes	10
6.	Garbage Compactors	15
7.	Garbage Disposers	5
8.	Garbage Huts	
	i. Metal	20
	ii. Wood	15
9.	Humidifiers	10
10.	Incinerator	15
11.	Metal Scaffold	20
12.	Power Lawnmower	10
13.	Snow Blower	10
14.	Tractors, Small	10
15.	Trucks, Pick-up and Delivery	10
16.	Vacuums, Commercial	10
Furnishings		
1.	Appliances	
	i. Clothes Dryer	15
	ii. Dishwasher	10
	iii. Microwave	10
	iv. Refrigerator	15
	v. Stove	15
	vi. Washing Machine	15
2.	Cabinets, Counters: Bath, Kitchen	25
3.	Drapes	10
4.	Furniture	
	i. Couches	10
	ii. Folding Chairs and Tables	10
	iii. Office	10
5.	Pictures	15
6.	Venetian Blinds	10

Conveying Systems		
1.	Elevators	
	i. Electrical Controls	15
	ii. Interior Wall Panels	15
	iii. New Installation	20
	iv. Mechanical Retrofit (Cable System)	15
Mechanical		
1.	Heating, ventilation and air conditioning	
	i. Boilers	
	A. Gas Fired Atmospheric	15
	B. Hot Water	15
	C. Insulation	25
	D. Retubing	20
	E. Steam	25
	ii. Central System (air conditioning)	15
	iii. Chiller	25
	iv. Cooling Tower	25
	v. Corridor System	15
	vi. Exhaust and Supply Fans	20
	vii. Fan Coil Units	20
	viii. Furnace	
	A. Electric, Forced Air	25
	B. Oil, Gas, Forced Air	25
	C. Oil, Gas, Wall or Floor	20
	ix. Heat Exchanger	15
	x. Heat Pumps	15
	xi. Heating System	
	A. Electric	10
	B. Hot Air	15
	C. Hot Water	25
	D. Steam	10
	xii. Hot Water Tanks	
	A. Commercial	20
	B. Domestic	25
	xiii. Sanitary Exhaust	
	A. Central System	20
	B. Individual System	15
	xiv. Stair Pressurization Fans	20
	xv. Units (Air Conditioners)	
	A. Incremental	15
	B. Sleeve, Window	10
2.	Mechanical	
	i. Culvert (Metal, Concrete)	25
	ii. Drains, Stacks (Plastic)	20
	iii. Lawn Sprinklers (Underground)	10
	iv. Plumbing Fixtures	
	A. Faucets	10
	B. Tubs, Toilets, Sinks	15
	v. Pumps	
	A. Booster, Circulating	25
	B. Fire, Jockey	15
	C. Sump	15
	vi. Risers	25
	vii. Sanitary System	25
	viii. Septic Tank and Tile Bed	20
	ix. Storm System	25
	x. Valves, Access Doors, Fittings, etc.	15
	xi. Water Softener	15
	xii. Water Treatment	20
	xiii. Wells and Water System	20
Electrical		

1.	Electric Heating Cables (Garage Ramp)	10
2.	Emergency Lighting (Battery Operated)	15
3.	Emergency System	
	i. Lighting	20
	ii. Generator	25
4.	Fire Extinguishers	10
5.	Fire System (Alarms, Smoke Detectors)	15
6.	Intercom	15
7.	Light Fixtures	
	i. Exterior	15
	ii. Interior: Common Areas, Ensuite	10
8.	Panel and Distribution	15
9.	Power Line	25
10.	Rewiring	25
11.	Street Lighting	15
12.	Surveillance System	
	i. Cameras	15
	ii. Monitors	15
	iii. Switchers	15
13.	Switches and Splitters	25
14.	Temperature Control	
	i. Electric	
	A. Indoor	15
	B. Outdoor	15
	ii. Pneumatic	20