



**TOWN OF FORT FRANCES**  
**ADMINISTRATION & FINANCE DIVISION**  
**TREASURY REPORT 2012/107**

**To:** Mayor Avis & Members of Council  
**FROM:** Laurie Witherspoon, Treasurer  
**DATE:** November 7, 2012  
**SUBJECT:** 501 Sixth Street W. – Rental Property

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**BACKGROUND**

The Town of Fort Frances owns property located at 501 Sixth Street W. of which has been leased continuously to one tenant since October 1, 1986. The tenancy lease in 1986 started at \$250.00/month, with periodic increases throughout time to the present lease in the amount of \$364.60. By-Law No. 07/12 authorizes the present lease agreement for the period of March 1, 2012 to February 28, 2013 with Jane Peterson.

In accordance with the rent increase guidelines, the rent of a unit can be increased if at least 12 months have passed since the tenant first moved in or since his or her last rent increase. The tenant must be given proper written notice of the rental increase of at least 90 days before the rent increase takes effect. Each year the Ontario government announces the province's rent increase guideline, being the maximum percentage by which a landlord can increase the rent for residential tenants without approval from the Landlord and Tenant Board. Generally, a landlord can only increase the rent by the percentage listed in the rent increase guideline; the 2013 guideline is 2.5 per cent and the earliest that the rent increase could take effect is March 1, 2013 (increase from \$364.60 to \$373.72).

Currently the annual rental amount is \$4,375.20, with the tenant paying hydro and water costs. The property does not have sewer service as it has a septic field system. The proposed 2.5% equals to a \$9.12 monthly increase and would raise the annual rental to \$4,484.64. Notice must be given on or before December 1/12 to meet the 90 days notice provision.

**RECOMMENDATION**

The Administration & Finance Executive Committee recommends approval of the allowable 2.5% rent increase for 2013, covering the period from March 1, 2013 to February 28, 2014 for residential property located at 501 Sixth Street West and further that a lease agreement with Jane Peterson and authorizing by-law be prepared.

Council Approval of this Report Will Agree to the recommendation of the Administration & Finance Executive Committee to approve rent increase of 2.5% for 2013 for residential property located at 501 Sixth Street W. Further, that a lease agreement with Jane Peterson be approved for the period of March 1, 2013 to February 28, 2014 and that an authorizing by-law be prepared.

Notice of Rent Increase  
Form N1

Read the instructions carefully before completing this form.

<b>To:</b> (Tenant's name and address)  JANE PETERSON	<b>From:</b> (Landlord's name and address)  THE CORPORATION OF THE TOWN OF FORT FRANCES
<b>Address of the Rental Unit:</b> 501 Sixth Street West Fort Frances, ON P9A 3E8	

**Your New  
Rent**

On <u>01 March 2013</u> (day/month/year)	, your rent will increase to \$ <u>\$373.72</u>
per <u>Month</u> (month, week, etc.)	
This rent includes the basic rent for your rental unit, plus any amount you pay separately to your landlord for services.	

**Explanation  
of the Rent  
Increase**

This is a rent increase of: \$ 9.12 per Month or 2.5 %.  
(month, week, etc.)

Shade one of the following:

☒ This rent increase is less than or equal to the rent increase guideline and does not need approval by an order under the *Residential Tenancies Act*.

OR

☐ This rent increase is more than the rent increase guideline, but:

- ☐ The rent increase has been approved by an order under the *Tenant Protection Act* or the *Residential Tenancies Act*.
- ☐ The rent increase must be approved by an order under the *Tenant Protection Act* or the *Residential Tenancies Act*. I have applied to the Tribunal or the Board for a Rent Increase Above the Guideline.

**Important  
Information  
About the  
Law**

1. The landlord must give the tenant this notice at least 90 days before the date of the rent increase. A landlord may increase the rent if at least 12 months have passed since the last rent increase or since a new tenant moved into the rental unit. No Notice of Rent Increase is required where the landlord and tenant have signed an Agreement to Increase the Rent Above the Guideline (Form N10).
2. A tenant does not have to sign a new lease when a fixed term tenancy ends. If the tenant decides not to sign a new lease, the tenant does not have to move, but the tenancy becomes "month-to-month".

If a tenant plans to move, the tenant must notify the landlord on Form N9 (Tenant's Notice to Terminate the Tenancy) at least 60 days before the lease expires if the tenant has a fixed term of tenancy or 60 days before the end of a monthly or yearly rental period. The tenant must notify the landlord on Form N9 at least 28 days before the end of a weekly rental period.

3. If the rent increase needs approval by an order under the *Tenant Protection Act* or the *Residential Tenancies Act*, the tenant is not required to pay more than the guideline increase until the order is issued. If the tenant only pays the guideline increase, the tenant may owe the landlord once the order is issued.
4. If you have any questions about the law related to rent increases and how it applies to this notice, you can contact the Landlord and Tenant Board at **416-645-8080** or toll-free at **1-888-332-3234**. Or, you may also visit the Board's website at **www.LTB.gov.on.ca** for further information.

**Signature**

☒ Landlord    ☐ Agent

Name of Person Signing <b>Laurie A Witherspoon</b>	Phone Number <b>807 274 5323 Ext 248</b>
Signature	Date

**Agent Information** (if applicable)

Name		Company Name ( if applicable )	
Mailing Address		Phone Number	
Municipality (city, town, etc.)	Province	Postal Code	Fax Number



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## NOTICES OF RENT INCREASE




Three of the notice forms listed below are for a landlord to use to tell a tenant that the rent for their rental unit will increase. One notice is used when a landlord and tenant agree to the increase by more than the Guideline.

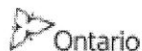
Each of the notice of rent increase forms has an instruction guide. You should read the instructions before you start to fill out the notice form. If you make a mistake in filling out the notice, it may not be valid and you may have to start over by serving a new notice.

For more information about which notice to use, read the instructions and/or go to the [Help for Landlords](#) page of our website.

### Format of our forms

You can view and complete the Board's forms on screen and print the forms if you have Adobe Acrobat Reader installed on your computer. Acrobat Reader can be downloaded free of charge from the [Adobe website](#).

Form# 	Title of Form 	Latest Release Date	Instructions 
<a href="#">N1</a>	<a href="#">Notice of Rent Increase</a>	Jan 31/07	<a href="#">N1 Instructions</a>
<a href="#">N2</a>	<a href="#">Notice of Rent Increase (Rental Unit Partially Exempt)</a>	Jan 31/07	<a href="#">N2 Instructions</a>
<a href="#">N3</a>	<a href="#">Notice to Increase the Rent and/or Charges for Care Services and Meals</a>	Jan 31/07	<a href="#">N3 Instructions</a>
<a href="#">N10</a>	<a href="#">Agreement to Increase the Rent Above the Guideline</a>	Jan 31/07	<a href="#">N10 Instructions</a>



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# The 2013 Rent Increase Guideline

June 22, 2012 8:30 AM

The annual Rent Increase Guideline is a calculation based on the Ontario Consumer Price Index as compiled by Statistics Canada.

The Rent Increase Guideline applies to most private residential rental accommodation covered by the Residential Tenancies Act, 2006 (RTA).

The guideline does not apply to:

- Vacant residential units
- Residential units first occupied on or after November 1, 1991
- Social housing units
- Nursing homes
- Commercial property

## Timing of Rent Increases

In most cases, the rent for a unit can be increased if at least 12 months have passed since a tenant first moved in, or if at least 12 months have passed since the last rent increase.

A tenant must be given proper written notice of a rent increase (at least 90 days before the rent increase takes effect).

## Calculation of the Guideline

The rent increase guideline is calculated under the Residential Tenancies Act, 2006 (RTA), and is based on the Ontario Consumer Price Index, which is calculated monthly by Statistics Canada. Ontario passed legislation on June 13, 2012 to amend the Residential Tenancies Act, 2006 to ensure that the Rent Increase Guideline is capped at 2.5 per cent.

The 2013 rent increase guideline was calculated by averaging the percentage increase in the Ontario Consumer Price Index during the previous 12 months, from June 2011 to May 2012. Since the average CPI was 2.6 per cent, the amended legislation capped the guideline at 2.5 per cent.

## Sample Rent Increase Calculation

The monthly rent of an apartment is \$1,000 beginning August 1, 2012.

With proper written 90 days notice to the tenant, the landlord could lawfully increase the rent 12 months later on August 1, 2013.

For example:

- The guideline for 2013 is 2.5 per cent.
- The rent increase is 2.5 per cent of \$1,000 = \$25.
- Therefore, the new rent on August 1, 2013 could be up to \$1025 (\$1000 + \$25).

## Previous Rent Increase Guidelines

Year	Guideline %
2012	3.1
2011	0.7
2010	2.1
2009	1.8
2008	1.4
2007	2.6
2006	2.1
2005	1.5
2004	2.9
2003	2.9
2002	3.9
2001	2.9
2000	2.6
1999	3.0
1998	3.0