



Social Justice Tribunals Ontario

Providing fair and accessible dispute resolution

Landlord and Tenant Board

Form T4

Tenant Application – Landlord did not Comply with an Agreement to Increase the Rent Above the Guideline

Instructions

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January 16, 2017

SECTION**A****When to use this application**

You can use this application to apply to the Landlord and Tenant Board (LTB) to have all or part of the rent increase above the guideline returned to you, if you and the landlord:

- signed an Agreement to Increase the Rent Above the Guideline (Form N10),

and

- the landlord failed to comply with all or part of what the agreement required the landlord to do.

You must file this application within two years of the date of the rent increase set out in the agreement.

SECTION**B****Steps you must take before filing the application**

Before you file this application, you and your landlord must have signed an [Agreement to Increase the Rent Above the Guideline \(Form N10\)](#) and the landlord must have failed to comply with all or part of what the agreement required the landlord to do. This form is available from the LTB website at sjto.ca/ltb.

SECTION**C****How to complete this application**

Read these instructions before completing the application form. You are responsible for ensuring that your application is correct and complete. Follow the instructions carefully when you complete the application form.

The information you fill in on the form will be read electronically; therefore, it is important to follow the instructions below:

- Print clearly or type and do not touch the edges of the boxes.
- If there are more boxes in a line than you need, start from the left and 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 or a circle (for example, circles marked “Yes” or “No”), shade the box or circle completely.

PART 1: GENERAL INFORMATION**Address of the Rental Unit Covered by this Application**

Fill in the complete address of the rental unit, including the unit number (or apartment or suite number) and the postal code.

PART 2: EXPLANATION OF YOUR APPLICATION

Complete the information as follows:

1. Fill in the date your rent was increased.
2. Fill in the amount of the increase that was above the guideline.
 - Calculate the amount of rent that was charged above the guideline.

Example:

Allen Wong moved into the rental unit on May 1, 2013. At that time, he paid a rent of \$750.00 per month. Allen and his landlord signed an Agreement to Increase the Rent Above the Guideline which set out that his rent would increase to \$775.00 on June 1, 2014 and in return the landlord would install new kitchen cupboards by July 1, 2014. The landlord never installed the cupboards, and on August 15, 2014 Allen applied to the LTB.

The rent increase guideline for 2014 was 0.8%.

$0.8\% \times \$750.00 = \6.00 (Allowed Guideline Increase)

$\$775.00 - \$750.00 = \$25.00$ (Agreed Increase in Rent)

$\$25.00 - \$6.00 = \$19.00$ (Amount of Rent Charged above the Guideline)

3. Explain which terms of the agreement the landlord did not comply with. Attach additional sheets if necessary.

Rent History

Enter the date you moved into the rental unit.

Rent Amount and Rent Period

You must provide a rent history for the past two years, or, if you have lived in the rental unit less than two years, you must provide a rent history from the date you moved into the rental unit to the present.

Example:

Allen Wong moved into the rental unit on May 1, 2013. At that time, he paid a rent of \$750.00 per month. Allen and his landlord signed an Agreement to Increase the Rent Above the Guideline which set out that his rent would increase to \$775.00 on June 1, 2014 and in return the landlord would install new kitchen cupboards by July 1, 2014. The landlord never installed the cupboards, and on August 15, 2014 Allen applied to the LTB.

Here is how he would fill out the Rent History table:

Rent Amount \$ (per month / per week)	Rent Period	
	From: (dd/mm/yyyy)	To: (dd/mm/yyyy)
\$ <input type="text" value="7"/> <input type="text" value="5"/> <input type="text" value="0"/> . <input type="text" value="0"/> <input type="text" value="0"/>	<input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="5"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="3"/>	<input type="text" value="3"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="5"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/>
\$ <input type="text" value="7"/> <input type="text" value="7"/> <input type="text" value="5"/> . <input type="text" value="0"/> <input type="text" value="0"/>	<input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="6"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/>	<input type="text" value="3"/> <input type="text" value="1"/> / <input type="text" value="0"/> <input type="text" value="7"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="4"/>
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I am required to pay rent by the month week other (specify)

Shade the appropriate circle to indicate whether you pay rent by the **month**, **week** or **other**. If you choose “other”, fill in the frequency of rent payments (for example, bi-weekly) in the space provided.

PART 3: SIGNATURE

If you are the tenant, shade either the circle marked “Tenant 1” or “Tenant 2”, depending on whether you filled in your name under “Tenant 1” or “Tenant 2” on page 1 of the form. Then, sign the application form and fill in the date.

If you are the tenant’s representative, shade the circle marked “Tenant’s Representative”. Then, sign the application form and fill in the date

REQUEST FOR ACCOMMODATION OR FRENCH-LANGUAGE SERVICES

The LTB wants to ensure that everyone who uses its services can ask for and receive accommodation and/or French Language services in order to be able to participate in its proceedings on an equal basis.

Shade the appropriate box or boxes on the form to indicate whether you need accommodation under the Ontario *Human Rights Code*, French-language services or both. The LTB will not include a copy of this form when we give the other parties a copy of the application form. However, the information will be included in your application file. The file may be viewed by other parties to the application.

If you require accommodation under the *Human Rights Code*, explain what services you need in the space provided.

PAYMENT AND SCHEDULING INFORMATION FORM

Complete this form to provide the LTB with the information required to process your application. Your application will not be accepted if you do not pay the application fee at the time you file the application. If you owe money to the LTB 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.

You may request a fee waiver if you meet the financial eligibility requirements set out by the LTB. You will need to complete the *Fee Waiver Form* which is available from the LTB website at sjto.ca/ltb. For more information about fee waivers and the eligibility criteria, go to the fee waiver rules and practice direction on the Rules of Practice page of the LTB website.

Part 1: Payment Method

Shade the appropriate box to show whether you are paying by cash, debit card, money order, certified cheque, Visa 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 credit card, 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.

Part 2: Information Required to Schedule the Hearing

The LTB will normally schedule your hearing between 3 weeks and 6 weeks after the date you file your application. The LTB will schedule your hearing on the first available hearing date within this 3 week period. If there are any dates that you are not available during this 3 week period, list them here. The LTB will not schedule your hearing on the date(s) you indicate you are not available and will schedule your hearing on the next available hearing date. **The LTB will not contact you to schedule a hearing.**

SECTION

D

What to include when you file your application

To file this application, you must include the following:

- The completed T4 application form,
- The application fee (listed on the cover page of the application).

Your application will be refused if you do not pay the application fee.

You should also include a copy of the Form N10 *Agreement to Increase the Rent above the Guideline* you and the landlord signed, and any additional supporting documents related to the agreement.

SECTION

E

How to file your application

You can file your application in one of the following ways:

1. In Person at the nearest LTB office.

To find a list of LTB [office locations](http://sjto.ca/ltb) visit the LTB website at sjto.ca/ltb. You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you file your application in person at an LTB office, you can pay the application fee by cash, debit card, certified cheque, money order, Visa or MasterCard.

2. By Mail

Mail your T4 application to the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you mail your application, you can pay the application fee by certified cheque or money order, Visa or MasterCard.

3. By Fax

You can fax your application to the nearest LTB office.

To find a list of LTB [office fax numbers](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you fax your application you can pay the application fee by Visa or MasterCard.

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

SECTION

F

What to do if you have any questions

You can visit the LTB website at: [sjto.ca/ltb](#)

You can call the LTB at 416-645-8080 from within the Toronto calling area, or toll-free at 1-888-332-3234 from outside Toronto, and speak to one of our Customer Service Officers.

Customer Service Officers are available Monday to Friday, except holidays, from 8:30 a.m. to 5:00 p.m. They can provide you with **information** about the *Residential Tenancies Act* and the LTB's processes; they cannot provide you with legal advice. You can also access our automated information menu at the same numbers listed above 24 hours a day, 7 days a week.