

## BLUEWATER COUNTRY RESIDENTS ASSOCIATION BOARD OF DIRECTORS

### STATEMENT REGARDING ABOVE GUIDELINE INCREASE ACTIVITIES

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#### **WHAT IS AN AGI (Above Guideline Increase):**

The Ontario Government passed Bill 124, The Rental Fairness Act in September 2017. In July 2020, Bill 184 Protecting Tenants and Strengthening Community Housing Act was also passed. These two (2) Bills brought about significant amendments to the RTA (Residential Tenancies Act 2006). Since 2018, the Ontario Government sets a yearly %, called an *Above Guideline Increase*, for allowed rent increases. The rate is based largely on the Consumer Price Index. Landlords, like Parkbridge, may apply to the Landlord Tenant Board (LTB) for an Above Guideline Increase (AGI) for “capital expenditures”.

#### **BACKGROUND:**

Since it became possible to file an application, Parkbridge has filed five (5) AGIs. Once the AGI is filed with the LTB, residents receive a “Notice of Hearing” package. At this point, residents are made aware of every capital expenditure that Parkbridge is claiming. Then, residents, the AGI committee, and BWCRA Board must decide how best to dispute the AGI. The AGI Committee reviews the application and accompanying documentation. After that work is completed, our lawyer files our response with the LTB and with Parkbridge. A hearing is scheduled by the LTB. The type of hearing is at the discretion of the LTB. Currently the LTB has a backlog of more than 38,000 cases.

**2017-2018** - AGI Hearing took place at the Sarnia Public Library, January 10, 2020, via Zoom. Resolved.

**2018-2019** – Resolved – Negotiated settlement.

**2019-2020 - 13 items at cost of \$99,902.** The BWCRA AGI Committee completed a thorough review of Parkbridge’s application to the LTB for the rent increase. Their review work was forwarded to our attorneys. Parkbridge withdrew the application on December 13, 2023, prior to the hearing assignment.

**CURRENT SITUATION:**

Parkbridge continues to pursue two (2) more AGI applications to the LTB.

**2020-2021 - 3 items at cost of \$88,065.** These items are primarily drainage backflow preventors and sewer issues. The BWCRA Board has retained Great Lakes Law firm to represent the residents of this community in the ongoing work to oppose annual AGIs. Our attorney filed a timely written response, (December 27, 2023) and we now we wait to hear from the LTB.

**2021 – 2022 - 11 items at cost \$438,370.** This is a significant amount and could potentially result in a large rental increase for residents. The two (2) largest claims are for Drainage issues (\$152,862.43) and for Backflow preventors (\$180,089.55).

The AGI Committee is seeking written submissions and/or photos from affected tenants/homeowners, which could become part of our response packet. Your continued support is invaluable.

**SUMMARY:**

We foresee AGI applications in future years. The AGI committee and the Board will continue to work with our attorney to achieve the best possible result from each AGI appeal.

**Please consider a minimum yearly donation of 25 - \$50 to the residents' legal fund. It is a small amount in comparison to the yearly rent increase we could face.**

*March 2024*