Order under Section 126
Residential Tenancies Act, 2006

File Number: LTB-L-059864-24

In the matter of:	1040 Castlefield Avenue, Toronto, Ontario, M6B 1E5	
Between:	Homer Developments Corp	Landlord
	And	
	Refer to attached Schedule 2	Tenants

Homer Developments Corp (the 'Landlord') applied for an order permitting the rent charged to be increased by more than the guideline for one or more of the rental units in the residential complex.

A Case Management Hearing took place by videoconference on December 2, 2025.

The following parties attended the hearing: The Landlord's representative, Al Dharsee, the Landlord's Agent, Victor Chan, and several Tenants.

The Certificate of Service filed by the Landlord on October 30, 2025, indicates that some rental units listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these rental units. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following units: 310 and 410.

At the Case Management Hearing the parties agreed to the following:

1. The maximum rent increase above the guideline because of capital expenditures is 4.50%. The Landlord's application is for the following capital expenditures:

    a. Heating & Hot Water Boilers & 2 Storage Tanks;
    b. Parking Lot Resurfacing & Paving; and
    c. Window Replacement.

2. Where the Landlord's application requests an increase of 5.76%, the maximum increase above the guideline for these units is 4.50%. This increase is to be taken as follows: 3.00% in the first year; and 1.50% in the second year.

3. The weighted useful life for the capital expenditures is 15 years.
4. The first effective date of the rent increase above the guideline is November 1, 2024.
5. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 90 days of the date of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 4.50% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken as follows:
    a. The Landlord may increase the rents charged by 3.00% within the time period of November 1, 2024 to October 31, 2025; and
    b. The Landlord may increase the rents charged by 1.50% within the time period of November 1, 2025 to October 31, 2026.
3. The percentage increase set out in paragraph 1 may be taken in addition to the annual guideline in effect on the increase date for the unit.
4. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 90 days of the date of this order.

January 5, 2026

Date Issued

Nancy Fahlgren
Hearings Officer, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Important Notes:

1. The Landlord may increase the rent charged by the ordered increase within the time period specified if at least 12 months have passed since the last rent increase or since the tenant moved in, and if the landlord has given the Tenant at least 90 days proper Notice of Rent Increase.

2. If the Landlord has given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlord may only take the rent increase set out in the Notice.

3. If the Tenant's rent is increased pursuant to the percentage increase ordered for capital expenditures and the same Tenant remains in the unit after the expiration of the weighted useful life for capital expenditures, then the rent will be reduced. Refer to Schedule 4 for information about the date and amount of the rent reduction.

4. The annual guideline for 2023 is 2.50%, for 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

101	302
102	303
103	304
104	305
105	306
106	307
107	308
108	309
201	311
202	312
203	401
204	402
205	403
206	404
207	405
208	406
209	407
210	408
211	409
212	411
301	412

Schedule 2 - Tenants who are Affected by this Order:

Abad, Angel Ann
Abad, Christian Ulysses
Abad, Gabriel
Abad, June
Abad, Maria
Abad, Matthew
Acierto, Irene
Agtarap, Asuncion
Amparo, Jenel
Andi, Seyed
Arenales, Yariela
Bang-Asan, Alejandro
Bang Asan, Aurea
Bang Asan, Crispina
Bang Asan, Guillermo
Bang-Asan, Luzviminda
Bang Asan, Marissa
Bantiding, Errol
Bantiding, Felicidad
Barceha, Leah May
Bernardino, Patria
Boado, Melany
Briones, Reynaldo
Briones, Rowena
Buendia, Alyzza
Buendia, Marieta
Cafala, Jose
Capua, Crisanto
Capua, Mary Ann
Carvajal, Carmelita
Carvajal, Leonardo
Casals-Dumangcas, Corazon
Cruz, Allan
Cruz, Jocelyn
David, Daniel
David, Marcelina
De La Riarte, Daisy
Do, Yen
Estigoy, Melinda
Evangelista, Zenaida
Flores, Neopito June
Gould, Jason
Jack, Gloria
Joy Jambaro, Christine
Lee Tiangha, Minette
Lomibao, Roselle
Madayag, Francisco
Madayag, Luisa
Madayag, Mayola
Mateo, Allan Jay
Meta, Rosevilla
Mosiglat, Mona Lisa
Pascua, Mary Jane
Pecson, Marilyn
Ramirez, Raphael
Ramos, Cristina
Ramos, Fernando
Regencia, Claire
Rogong, Noraine
Romero, Agapito
Salting, John
Salting, Rizalin
Saludares, Milagros
Saludares, Minie Joyce
Salvanera, Rizalto
Sanoubane, Bandith
Sanoubane, Douang
Torres, Gemma
Torres, Janelle
Torres, Perlita
Ulpino, Melita
Valdez, Eugene
Valdez, Jason
Valdez, Jomel
Valdez, Veronica
Valero, Kristine

Schedule 3 - Rent Reduction related to Capital Expenditures

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during the period 2024 then:

The date of the rent reduction will be the day before:

- the date of the Tenant's first rent increase under this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in this order).

Example:
If the Tenant's rent was increased on June 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on May 31, 2031.

If the Tenant's rent was *not* increased based on capital expenditures during the period 2024 but was increased during the later periods set out in the order then:

The date of the rent reduction will be the day before:

- the First Effective Date of Rent Increase in this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in this order).

Example:
If the first effective date of increase in this order is April 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on March 31, 2031.

B. Amount of Rent Reduction

If the Tenant's rent is increased by the total percentage increase set out in this order then:
The rent must be reduced by the total percentage increase set out in this order for capital expenditures.

If the Tenant's rent is *not* increased by the total percentage increase set out in this order then:
The rent must be reduced by an amount determined in accordance with the prescribed rules which may be equal to or less than the total percentage increase set out in this order for capital expenditures.