



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-046131-23

In the matter of: 191 Nonquon Road, Oshawa, Ontario, L1G 6Z2

Between: Capreit Limited Partnership Landlord

And

Refer to attached Schedule 2 Tenants

Capreit Limited Partnership (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 November 10, 2025.

The following parties attended the hearing: the Landlord's Representatives, Patty Duwyn and Kiel Baker; the Landlord's Agent, Dushy Anantharajan, and several of the Tenants and/or their agents and supporters from units: 302, 315, 406, 506, 616, 703, 708, 901, 1001 and 1100.

The Certificate of Service filed by the Landlord on October 8, 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 32 units: 102, 104, 205, 307, 308, 312, 402, 403, 405, 407, 409, 411, 412, 503, 509, 511, 601, 606, 607, 609, 702, 704, 705, 709, 711, 802, 805, 811, 816, 906, 1011 and 1016.

At the CMH the Landlord withdrew Capital Expenditure item #1, Boiler – HVAC Refurbishment and the application was amended, which resulted in a recalculation and overall reduction of the As Claimed AGI Increase Percentages, which specifically changed from 1.38% to 1.21%; from 1.01% to 0.85%; and from 0.15% to 0.00%.

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

1. The maximum rent increase above the guideline because of capital expenditures is 1.00%. This increase is for the following capital expenditures:

- a. Common Area Renovations;
 - b. Security Camera System and Electric Panel; and
 - c. Garbage Enclosure.
2. Where the Landlord's application requests an increase of 1.21%, the maximum increase above the guideline for these units is 1.00%. This increase is to be taken in the first year.
3. Where the Landlord's application requests an increase of 0.85%, the maximum increase above the guideline for these units is 0.70%. This increase is to be taken in the first year.
4. The weighted useful life for the capital expenditures is 13 years, as specified on Schedule 3.
5. The first effective date of the rent increase above the guideline is September 1, 2023.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 180 days of the date of this order.

January 6, 2026
Date Issued

Janice Campbell
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:

191 Nonquon Road, Oshawa, Ontario, L1G 6Z2

101	410	803
103	414	804
105	415	806
106	502	807
107	504	808
108	505	809
201	506	810
202	507	812
203	508	815
207	510	901
209	512	902
211	515	903
212	516	904
214	603	905
215	605	907
216	610	909
301	611	910
302	612	911
303	614	912
305	616	915
306	701	916
309	706	1001
310	707	1002
311	708	1003
314	710	1004
315	712	1005
401	714	1006
404	715	1007
406	716	1008
408	801	1009
1010	1014	1015

Schedule 2 - Tenants who are Affected by this Order:

Abayomi, Oluwatobi	Ehsan, Maryam
Abdelgawad, Haytham	Ehsan, Muzhda
Adams, Carla	Emery, Cody
Adams, Kevin	Essex, Shawn
Andel, Van	Farmer, Melissa
Avery, Darin	Godfrey, Calvin
Babalola, Lukumon	Godfrey, Rosemarie
Babtiste, Jean	Godfrey, Suzanne
Bailey, Patrice	Gunn, Kent
Baines, Andria	Hardwick, Timothy
Baker, Jennifer	Hayes, Cathy
Baker, Maurice	Hayes, Danielle
Balkissoon, Michael	Hayes, Mike
Bawks, Danny	Howard, Christopher
Bawks, Sandra	Alexandernicholson
Beno, Terry	Kadivar, Ravi Champaklal
Bertrand, Denis	Kimmel, Alfonse
Best, Jacquelin	Kimmel, Henrietta
Black, Donna	Kimmerly, Heather
Blay, Megan	Koumessina, Sheri
Bowman, Kirbi	Ladner, Michael M
Box, Edward	Lauder, Jinky
Brough-Snowdon, Randi	Lees, Heather
Budd, Kristyn	Line, Amelia
Calberry, Trudy	Line, Normand
Campbell, Frank	Loder, Brianne
Campbell-Allman, Sherene	Loft, Leslie
Cannavan, Isabella	Lumala, Judith
Cao, Huy Binh	Magombo, Lunere
Carew, Wayne	Maki, Meagan
Carruthers, Vicki	Malgorzata, Baranska
Cavanagh, Christine	Matuk, Rosella
Cavanagh, Stephane	Mckranken, Jodi
Check, Steven	Mcmurtry, Leanne
Chislett, Cody	Meddick, Luke
Clement, Roch	Milford, Cindy
Coleman, Randy	Morrison, Georgina
Connaty, Devon	Mullin, Tricia
Curtis, Emma	Mworia, Ann
De, Maria Do Ceu	Nassar, Ahmad Abu
Doan, Quyen To	Nguyen, Thfanh Hong
Doiron, David	Nurse, Marion
Douglas, Tyler	Osmond, Neil
Drahaman, Mohamed	Page, Joshua

Painter, Brooke
Pascoe, Sean Michael
Phillips, Jessie
Price, Robin
Puffer, Deborah Lynn
Pullen, Donovan
Qani, Mohammad
Richards-Dawkins, Stephenie
Riley, Allison
Riley, Robert
Rivet, Linda
Roxborough, William
Rutherford, Calvin
Satchell, Winifred
Saunders, Devon
Seetarram, Anita
Siket, Irene
Sims, Douglas
Sinibo, Gerverve Lisette
Small, Sean Tim Hugh
Smith, John
Smith, Kenny
Smith, Majorie
Smith, Ryan

Stapley, Paul
Storey, Brandon
Sumner, Cassandra
Sumner, Christina
Thibodeau, Karen
Traviss, Celine
Traviss, Morley
Tripp, Hannah Elizabeth
Tuck, Katherine
Walker, Amber
Wallace, Larissa
Watson, Derek
Watson, Patricia
Webster, Jennifer
Wheeler, Debbie
White, Robert
White, Susan
Wilson, Desmond
Wilson, Jacqueline
Windsor, Patrica
Wong, Jeffery
Young, Zachary
Zhou, Yanxin

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is September 1, 2023**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

Rental Unit Address Name	Period of September 1, 2023 to August 31, 2024		Weighted Useful Life	Total % for Cap Exp
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)		
1001, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1002, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1003, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1004, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1005, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1006, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1007, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1008, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1009, 191 Nonquon Road	1.00%	1.00%	13	1.00%
101, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1010, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1014, 191 Nonquon Road	1.00%	1.00%	13	1.00%
1015, 191 Nonquon Road	1.00%	1.00%	13	1.00%
103, 191 Nonquon Road	1.00%	1.00%	13	1.00%
105, 191 Nonquon Road	1.00%	1.00%	13	1.00%
106, 191 Nonquon Road	1.00%	1.00%	13	1.00%
107, 191 Nonquon Road	1.00%	1.00%	13	1.00%
108, 191 Nonquon Road	1.00%	1.00%	13	1.00%
201, 191 Nonquon Road	1.00%	1.00%	13	1.00%
202, 191 Nonquon Road	1.00%	1.00%	13	1.00%
203, 191 Nonquon Road	1.00%	1.00%	13	1.00%
207, 191 Nonquon Road	1.00%	1.00%	13	1.00%
209, 191 Nonquon Road	1.00%	1.00%	13	1.00%
211, 191 Nonquon Road	1.00%	1.00%	13	1.00%
212, 191 Nonquon Road	1.00%	1.00%	13	1.00%
214, 191 Nonquon Road	1.00%	1.00%	13	1.00%

Rental Unit Address Name	Period of September 1, 2023 to August 31, 2024			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
215, 191 Nonquon Road	1.00%	1.00%	13	1.00%
216, 191 Nonquon Road	1.00%	1.00%	13	1.00%
301, 191 Nonquon Road	1.00%	1.00%	13	1.00%
302, 191 Nonquon Road	1.00%	1.00%	13	1.00%
303, 191 Nonquon Road	1.00%	1.00%	13	1.00%
305, 191 Nonquon Road	1.00%	1.00%	13	1.00%
306, 191 Nonquon Road	1.00%	1.00%	13	1.00%
309, 191 Nonquon Road	1.00%	1.00%	13	1.00%
310, 191 Nonquon Road	1.00%	1.00%	13	1.00%
311, 191 Nonquon Road	1.00%	1.00%	13	1.00%
314, 191 Nonquon Road	1.00%	1.00%	13	1.00%
315, 191 Nonquon Road	1.00%	1.00%	13	1.00%
401, 191 Nonquon Road	1.00%	1.00%	13	1.00%
404, 191 Nonquon Road	1.00%	1.00%	13	1.00%
406, 191 Nonquon Road	0.70%	0.70%	13	0.70%
408, 191 Nonquon Road	1.00%	1.00%	13	1.00%
410, 191 Nonquon Road	1.00%	1.00%	13	1.00%
414, 191 Nonquon Road	1.00%	1.00%	13	1.00%
415, 191 Nonquon Road	1.00%	1.00%	13	1.00%
502, 191 Nonquon Road	1.00%	1.00%	13	1.00%
504, 191 Nonquon Road	1.00%	1.00%	13	1.00%
505, 191 Nonquon Road	0.70%	0.70%	13	0.70%
506, 191 Nonquon Road	1.00%	1.00%	13	1.00%
507, 191 Nonquon Road	1.00%	1.00%	13	1.00%
508, 191 Nonquon Road	1.00%	1.00%	13	1.00%
510, 191 Nonquon Road	1.00%	1.00%	13	1.00%
512, 191 Nonquon Road	1.00%	1.00%	13	1.00%
515, 191 Nonquon Road	1.00%	1.00%	13	1.00%
516, 191 Nonquon Road	1.00%	1.00%	13	1.00%
603, 191 Nonquon Road	1.00%	1.00%	13	1.00%
605, 191 Nonquon Road	1.00%	1.00%	13	1.00%
610, 191 Nonquon Road	1.00%	1.00%	13	1.00%
611, 191 Nonquon Road	1.00%	1.00%	13	1.00%
612, 191 Nonquon Road	1.00%	1.00%	13	1.00%
614, 191 Nonquon Road	1.00%	1.00%	13	1.00%

Rental Unit Address Name	Period of September 1, 2023 to August 31, 2024			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
616, 191 Nonquon Road	1.00%	1.00%	13	1.00%
701, 191 Nonquon Road	1.00%	1.00%	13	1.00%
706, 191 Nonquon Road	1.00%	1.00%	13	1.00%
707, 191 Nonquon Road	1.00%	1.00%	13	1.00%
708, 191 Nonquon Road	1.00%	1.00%	13	1.00%
710, 191 Nonquon Road	1.00%	1.00%	13	1.00%
712, 191 Nonquon Road	1.00%	1.00%	13	1.00%
714, 191 Nonquon Road	1.00%	1.00%	13	1.00%
715, 191 Nonquon Road	1.00%	1.00%	13	1.00%
716, 191 Nonquon Road	1.00%	1.00%	13	1.00%
801, 191 Nonquon Road	1.00%	1.00%	13	1.00%
803, 191 Nonquon Road	1.00%	1.00%	13	1.00%
804, 191 Nonquon Road	1.00%	1.00%	13	1.00%
806, 191 Nonquon Road	1.00%	1.00%	13	1.00%
807, 191 Nonquon Road	1.00%	1.00%	13	1.00%
808, 191 Nonquon Road	1.00%	1.00%	13	1.00%
809, 191 Nonquon Road	1.00%	1.00%	13	1.00%
810, 191 Nonquon Road	1.00%	1.00%	13	1.00%
812, 191 Nonquon Road	1.00%	1.00%	13	1.00%
815, 191 Nonquon Road	1.00%	1.00%	13	1.00%
901, 191 Nonquon Road	1.00%	1.00%	13	1.00%
902, 191 Nonquon Road	1.00%	1.00%	13	1.00%
903, 191 Nonquon Road	1.00%	1.00%	13	1.00%
904, 191 Nonquon Road	1.00%	1.00%	13	1.00%
905, 191 Nonquon Road	1.00%	1.00%	13	1.00%
907, 191 Nonquon Road	1.00%	1.00%	13	1.00%
909, 191 Nonquon Road	1.00%	1.00%	13	1.00%
910, 191 Nonquon Road	1.00%	1.00%	13	1.00%
911, 191 Nonquon Road	1.00%	1.00%	13	1.00%
912, 191 Nonquon Road	1.00%	1.00%	13	1.00%
915, 191 Nonquon Road	1.00%	1.00%	13	1.00%
916, 191 Nonquon Road	1.00%	1.00%	13	1.00%

Schedule 4 - 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 2023 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 Schedule 3).

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 2023 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 Schedule 3).

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.