



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-060723-24

In the matter of: 10 Ben Lomond Place, Hamilton, Ontario, L8V 2S8

Between: Park Place Equities 2005 Inc. Landlord

and

Refer to attached Schedule 2 Tenants

Park Place Equities 2005 Inc. (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 9, 2025.

The following parties attended the hearing:

The Tenants from the following rental units: Pamela Whitlock (unit 505) who was represented by legal representative Kevin Staats who agreed to be spokesperson for all the Tenants present at the hearing and several other Tenants also attended.

The Landlord's legal representative, Brendan Hedges and Landlord agent Dave Nevins.

The Certificate of Service filed by the Landlord on November 10, 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: 0401, 0502, 0607 and 0701.

The Certificate of Service filed by the Landlord on November 10, 2025, indicates that some Tenants listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing the Tenants as parties. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following Tenants: Estate of Christine Arthur and Scott Hutson.

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

1. The maximum rent increase above the guideline because of capital expenditures is 1.50%. This increase is for the following capital expenditure:
 - a. Mechanical Upgrades.

2. Where the Landlord's application requests an increase of 1.72%, the maximum increase above the guideline for these units is 1.50%. This increase is to be taken in the first year.
3. The weighted useful life for the capital expenditure is 15 years.
4. The first effective date of the rent increase above the guideline is November 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 1.50% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken within the time period of November 1, 2024 to October 31, 2025.
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 120 days of the date of this order.

January 14, 2026
Date Issued

Nick Vescio

Dispute Resolution 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. Any part of the ordered increase that is not taken within the time period specified cannot be added to subsequent rent increases in subsequent time periods.
2. If the Landlord has given the Tenant 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 3 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 and 2025 is 2.50%.

Schedule 1 - Units affected by this Order:

0102	0503
0106	0505
0201	0506
0202	0507
0203	0508
0204	0602
0205	0603
0206	0604
0207	0605
0208	0606
0301	0608
0302	0703
0303	0704
0304	0705
0305	0706
0306	0707
0307	0708
0308	0802
0403	0804
0404	0805
0407	0807
0501	0808

Schedule 2 - Tenants who are Affected by this Order:

Adlington, Donald
Ahmad, Amjad
Alvarenga, Claudia
Armstrong, David
Arthur, John
Bennett, Adeline
Bennett, George
Bolton, Charlene
Brice, Warren
Broadley, Alyssa
Broadley, Brian
Brown, Shannalee
Campbell, Megan
Casini, Marco
Docherty, Isabel
Docherty, John
Docherty, Thomas
Fleming, Shirley
Fox, Susan
Grady, Laura
Hageny, Colleen
Hamad, Taghreed
Hoeksema-Taylor, Heather
Hoskin, Joan
Hubbs, Fiona
Kajah, Bryan
Kelly, Jennifer
Kovac, Suhreta
Larivere, Alex
Lebouef, Diane

Lodge, Sean
Macdonald, Ron
McArthur, Dennis
McCartan, Desirae
McCartan, Edward
McCulloch, Roslyn
McFarlane, Patrick
McIlroy, Joanne
McInnes, Anne
McInnes, Donald
Mekli, Lawrence
Perrie, Janice
Pylypenko, Maksym
Ranalli, Angela
Randall, Sandra
Readyhough, Stella
Rogers, Dodge
Rolland, Elizabeth
Scott, Jamie
Shaver-Siatras, Dana Ann
Smith, Valerie
Stewart, Beverly
Swaby, Suzette
Sweeting, Elizabeth
Taylor, Brent
Taylor, Kenneth
Turk, Valerie
Whitlock, Pamela
Williams, Cathy
Zonta, Patricia

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 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 the 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 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 the 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.