



**Order under Section 126
Residential Tenancies Act, 2006**

Citation: Homestead Land Holdings Limited v Hedayati, 2026 ONLTB 2980

File Number: LTB-L-046861-23

In the matter of: 125 Parkway Forest Drive, Toronto, Ontario, M2J 1L9

Between: Homestead Land Holdings Limited Landlord

And

Refer to attached Schedule 2 Tenants

Homestead Land Holdings Limited (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 Merits hearing was held by videoconference on December 2, 2025.

The following parties attended the hearing:

For the Landlord:

- Patty Duwyn, Legal Representative
- Flutura Droboniku, Property Manager
- Kevin Lai, Agent
- Iqra Searle, Agent
- Crystal Sankey, Agent
- Robert Stiemer, Witness
- Trevor MacCormack, Witness
- Michael Piccin, Witness

Tenants:

- Tonya Lewis – Unit 209
- Asli Yusuf – Unit 210
- Lama Abdul-Rehman – Unit 215
- Zakaria Mohammad – Unit 316
- Wahida Amanullah – Unit 412
- B. Robbins – Unit 507
- Chivonne Goulbourne – Unit 516
- Cheryl A. Morton – Unit 604
- Pascual Donguines Marites – Unit 615
- Shamly Mol Louis – Unit 709
- Ralph Macri – Unit 805
- Zena Yigeza Ayele – Unit 909
- Idalina Ana De Norberto Lourenco – Unit 916
- Ashanta Susan Layne – Unit 1005
- Patricia Marie Canete – Unit 1013
- Eric Spigel (Son-in-law – translator for) Mei Yu Li- Unit 1407

- Basil Sunoj – Unit 1414
- Elizabeth Troester – Unit 1603
- Rawan Alazzawi (Daughter – translator for) Ahmed Bassam – Unit 1505

The Certificate of Service filed by the Landlord on July 29, 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: 104, 111, 115, 116, 201, 205, 212, 216, 313, 402, 406, 408, 417, 503, 505, 509, 514, 603, 606, 613, 616, 701, 702, 717, 801, 811, 816, 904, 911, 914, 1001, 1004, 1009, 1010, 1011, 1016, 1017, 1102, 1111, 1114, 1201, 1208, 1209, 1211, 1213, 1214, 1410, 1501, 1509, 1511, 1604, 1606, 1610, 1611, 1616, 1701, 1706, 1716, 1804, and 1813.

The Certificate of Service filed by the Landlord on July 29, 2025, indicates that some rental Tenants listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these Tenants. 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: Parnika Gupta.

Preliminary Matters

Landlord Amendments – Removal of Capital Expenditures Claimed

I have accepted the Landlord's amended application filed with the Board on November 21, 2025, withdrawing the following claimed capital expenditures:

- Capital Expenditure Items #3 ("Lock Replacement and FOB System"),
- Capital Expenditure Item #4 ("Anti-Slip Mats"),
- Capital Expenditure #5 ("Security Camera System Update"),
- Capital Expenditure #6 ("Common Area Tile Replacement"),
- Capital Expenditure #7 ("Replace Fire-Rated Common Area Doors"),
- Capital Expenditure #8 ("Common Area Painting & Laundry Room Repairs"), and
- Capital Expenditure #10 ("Compactor Room Repairs").

It is determined that:

1. I find that the Landlord has justified a rent increase above the guideline because the Landlord incurred an eligible capital expenditure for the residential complex or one or more of the rental units in it.

THE DEFINITION OF CAPITAL EXPENDITURE

2. The Landlord must lead evidence to establish that each of the capital expenditures claimed meets the definition of "capital expenditure" as set out in s. 18(1) of the regulation. It says:

"capital expenditure" means an expenditure for an extraordinary or significant renovation, repair, replacement or new addition, the expected benefit of which extends for at least five years including,

- a. an expenditure with respect to a leased asset if the lease qualifies as determined under subsection (2), and
- b. an expenditure that the landlord is required to pay on work undertaken by a municipality, local board or public utility, other than work undertaken because of the landlord's failure to do it,

but does not include,

- c. routine or ordinary work undertaken on a regular basis or undertaken to maintain a capital asset in its operating state, such as cleaning and janitorial services, elevator servicing, general building maintenance, grounds-keeping and appliance repairs, or
- d. work that is substantially cosmetic in nature or is designed to enhance the level of prestige or luxury offered by a unit or residential complex;

"ELIGIBLE" CAPITAL EXPENDITURES

- 3. In addition to meeting the definition of capital expenditure, each of the Landlord's claimed items must be an "eligible" capital expenditure.
- 4. Subsections 126(7) and (8) of the Act say:

(7) Subject to subsections (8) and (9) and except under the prescribed circumstances, a capital expenditure is an eligible capital expenditure for the purposes of this section if,

- a. it is necessary to protect or restore the physical integrity of the residential complex or part of it;
- b. it is necessary to comply with subsection 20 (1) or clauses 161 (a) to (e);
- c. it is necessary to maintain the provision of a plumbing, heating, mechanical, electrical, ventilation or air conditioning system;
- d. it provides access for persons with disabilities;
- e. it promotes energy or water conservation; or
- f. it maintains or improves the security of the residential complex or part of it.

(8) A capital expenditure to replace a system or thing is not an eligible capital expenditure for the purposes of this section if the system or thing that was

replaced did not require major repair or replacement, unless the replacement of the system or thing promotes,

- g. access for persons with disabilities;
- h. energy or water conservation; or
- i. security of the residential complex or part of it.

THE 18-MONTH WINDOW

- 5. Pursuant to s. 26(2) of the regulation a rent increase shall not be ordered in respect of a capital expenditure unless the work was completed during the 18-month period ending 90 days before the effective date of the first intended rent increase referred to in the application. In this case the 18-month window is from December 3, 2021 to June 3, 2023.
- 6. The expenditure must also be "incurred" which essentially means the work must have been paid for prior to the application being filed. This is not an issue with respect to any of the items claimed in this application.

THE USEFUL LIFE

- 7. If the expenditure meets the requirements set out above, then the Board must establish the useful life of the work done in order to calculate the allowable increase.
- 8. Section 27 of the regulation says:

27. (1) The useful life of work done or a thing purchased shall be determined from the Schedule subject to the following rules:

- a. Where the useful life set out in Column 3 of the Tables in the Schedule is less than 10 years, the useful life of work done or a thing purchased shall be deemed to be 10 years.
- b. If, when a thing is purchased, it has previously been used, the useful life of the thing shall be determined taking into account the length of time of that previous use.
- c. If the work done or thing purchased does not appear in the Schedule, the useful life of the work or thing shall be determined with reference to items with similar characteristics that do appear in the Schedule.
- d. Despite paragraphs 2 and 3, for the purposes of making a finding under this section, the useful life of work done or a thing purchased shall not be determined to be less than 10 years.

(2) If the useful life of work done or a thing purchased cannot be determined under subsection (1) because the work or thing does not appear in the Schedule and no item with similar characteristics appears in the Schedule, the useful life of the work or thing shall be what is generally accepted as the useful life of such work or thing but in no case shall the useful life be determined to be less than 10 years.

Capital Expenditure

9. The maximum rent increase above the guideline because of capital expenditures will be 4.00%. This increase is for the following capital expenditures:
 - a. Underground Garage Repairs
 - b. Exterior Building and Balcony Repairs
 - c. Roof Replacement
10. This increase is to be taken as follows: 3.00% to be taken in the first year and 1.00% to be taken in the second year.
11. The weighted useful life of the capital expenditures is 16 years
12. The date of the first intended increase is September 1, 2023.

On consent of the parties, it is Ordered that:

13. The Landlord may increase the rents charged by 4.00% for the units set out in Schedule 1.
14. 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 September 1, 2023, to August 31, 2024; and
 - b. The Landlord may increase the rents charged by 1.00% within the time period of September 1, 2024, to August 31, 2025.
15. 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.
16. The Landlord shall pay to the Tenants any sum of money that is owed as a result of this order within 60 days of the date of this order.

17. The Tenants shall pay any amount owing to the Landlord as a result of this order in 12 monthly installments, beginning 60 days from the issuance date of this Order.

January 19, 2026

Date Issued

Luciella Longo
Member, 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 3 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:

125 Parkway Forest Drive, Toronto, Ontario, M2J 1L9

101	314	612	909	1212	1607
102	315	614	910	1215	1608
103	316	615	912	1216	1609
106	317	617	913	1217	1612
107	401	703	915	1401	1613
108	403	704	916	1402	1614
109	404	705	917	1403	1615
110	405	706	1002	1404	1617
113	407	707	1003	1405	1702
114	409	708	1005	1406	1703
117	410	709	1006	1407	1704
202	411	710	1007	1408	1705
203	412	711	1008	1409	1707
204	413	712	1012	1411	1708
206	414	713	1013	1412	1709
207	415	714	1014	1413	1710
208	416	715	1015	1414	1711
209	501	802	1101	1415	1712
210	502	803	1103	1416	1713
211	504	804	1104	1417	1714
213	506	805	1105	1502	1715
214	507	806	1106	1503	1717
215	508	807	1107	1504	1801
216	510	808	1108	1505	1802
217	511	809	1109	1506	1803
301	512	810	1110	1507	1805
302	513	812	1112	1508	1806
303	515	813	1113	1510	1807
304	516	814	1115	1512	1808
305	517	815	1116	1513	1809
306	602	817	1117	1514	1810
307	604	901	1202	1515	1811
308	605	902	1203	1516	1812
309	607	903	1204	1517	1814
310	608	905	1205	1601	1815
311	609	906	1206	1602	1816
312	610	907	1207	1603	1817
313	611	908	1210	1605	

Schedule 2 - Tenants who are Affected by this Order:

Abbas, Inas	Bhattacharya, Anuradha	Garcia, Jackelyn
Abdi, Fariba	Bhattacharya, Siddharth	Gebretsadik, Kalieb
Acosta Santillan, Ana Paola	Bheemreddy, Akhil Reddy	George, Geo
Aghaei, Farideh	Biswal, Vipulkumar Benudhar	Ghogale, Nitin
Ahmed, Faisal	Bizuneh, Yafet Kassahun	Gialenaki, Photini
Ahmed, Fatima	Blando, Sara Angelie	Ginnam, Gowripriya
Akbary, Rahim	Borda, Wenda Giner	Godala, Vijay Kumar Reddy
Akbary, Shafia	Brudea, Ioana	Gomes, R.
Al-Azzawi, Farooq	Burley, Barry	Goulbourne, Chivonne
Albiar, Milagros	Bustamante, Alexis	Grandhi, Pavani
Alfouly, Ashraf	Buyukince, Seher	Gumiran, Rafael Alingod
Al-hilli, Suha fadhel Ibrahim	Cabado, Mary Ann	Guntumadugu, Manasa
Ali, Ali	Caguimbal, Celestino	Gupta, Deepesh
Ali, Sakib	Caguimbal, Corazon	Gupta, Partha Raj
Alramli, Ossama	Cahuyong, Robelyn	Gurbani, Parth Prakashbhai
Al-Shami, Eman Abdullah	Canete, Patricia Marie	Hagi Karama, Badar
Mohammed	Chakkunny, Alan	Abdulcadir
Alvandi, Shiva	Chandran, Sindhoora	Hagi Karama, Faduma
Al-Zuhary, Qusay	Cheekanahally, Shanu	Abdulkadir
Al-Zuhary, Rawdha	Sandeep	Haj Mohammadhosseini,
Amanullah, Wahida	Chinnadurai, Yamuna	Maral
Amin, Venazer	Chowdhury, Faiza Khanam	Hama Salih, Jalal Abdullah
Amirtharaj, Giftson Gabriel	Clarke, Tayvon	Hancocks, Alexander
Amirtharaj, Nelson Noel	Cosgrove, Timothy	Hedayati, Maryamolsadat
Amruta, Salunke	Crawford, Gus	Hekimgil, Tevfik Mert
Anderson, Alicia	Daoud, Haziza Jacob	Hersi, Amal Muse
Annae, Rashmi	Deepak Ponnusamy, Kauvya	Howe, Kamaul Darran
Anwaryar, Masood	De Los Reyes, Don Mc Lean	Hussain, Mohammed Absar
Apalit, Noel	Desai, Dhavak Bharatkumar	Ikhlas, Haida
Arcella Mujica, Manuel	Desai, Naitik Jigarkumar	Imran, Ali
Fernando	Dilworth, Shaday Latoya	Ingabire, Floris Ulrich
Asdeghe, Shahrokh	Divina, John Peter	Jack, June
Ayad Jafaar, Samar	Djaoutkhanov, Zelimkhan	Jacob, Shibu
Ayele, Zena Yigeza	Dominik Duczynski,	Jain, Smriti
Ayoob, Ebrahim	Donguines, Cherry May	Jalalli, Ghulam Saeed
Azimi, Peyman	Ekhlas, Mohammad Tahir	Jameskutty, Tinu Kozhuvallil
Babu, Deepak	Elsabban, Mohamed Sabry	Joseph, Dany Engels
Badr, Farida	Elumalai, Manikandan	Joy, Silpa
Barakat, Ahmed	Farah, Fowsiya	Juma, Mohammad
Bassam, Ahmed	Fayek, Nessrin Mohamed	Juneja, Payal
Bastami, Sharon	Fineau, Monique	June-Jack, Rita Ndudi
Baumann, Steve	Fonseca Vargas, America	Kakarelis, Nick
Behl, Rishi	Francis, Amal	Kalimireddy, Siva
Bhatt, Riddhi Krishnakant	Gan, Man Tang	Kalyankumar, Balashankar

Kanapuram, Vamshi Krishna	Mallick, Gyanendra	Palanisamy, Gowrishankar
Karama, Mahamoud	Malyala, Vishwanath	Pandi, Mel richard
Abdulkadir	Maria, Richa	Pandi, Pandi Laxmi
Kasuvojula, Vamshikrishna	Marites, Pascual Donguines	Pandi, Rizaldo
Kazi, Fuad Abbas	Marneni, Balashowry	Pandi, Susan Ramos
Khalid, Abdul-Rahim	Massa, Yordanos	Panjvani, Saloni Rahishkumar
Khalid, Adnan	Hailemariam	Parhizkari, Kian
Khan, Faiza	Mir, Nishi	Patel, Avani
Khan, Momin W.	Mistry, Piyali Pankaj	Patel, Mayur Mukeshbhai
Kilaru, Harish	Mitov, Ivaylo	Patel, Umang
Kilaru, Srikanth	Modala, Upendra	Poon, Lena
Kokel, Jayshree Sunil	Mohamed, Ehab Elsayed	Printer, Diamond
Kokel, Sunil Gopal	Mohammad, Ubaid	Puri, Gaurav
Kokkula, Gangaprasad	Mohammad, Zakaria	Rafizadeh, Roya
Kokkula, Vedik Gangaprasad	Mohammed, Abdul Khader	Rai, Ashish
Kollamparambail, Flavia	Khan	Rai, Dipesh
Komma, Sushmitha	Mohammed, Abdullahi	Rai, Pratibha
Kommula, Pramod	Abiodun	Rajanna, Usha
Kommula, Rakshith Reddy	Mohammed, Abdul Mustafa	Ramasamy, Nareshkumar
Krasovsky, Evgeny	Mohammed, Anhur	Rammal, Haidar Mohamad
Krishnamoorthy, Preethi	Mohammed, Azeem Zeeshan	Rana, Manveer
Kulshrestha, Ashi	Mohammed, Fayeze Ahmed	Ranade, Manasi Vilas
Kumar, Mitesh	Mohammed, Mubasheer Ali	Ravela, Sooraj
Kunda, Bindu Priya Reddy	Mohammed, Omar	Ravindran, Krishnadas
Kunjaniyanpillai, Girish	Mohammed, Sai Fuddin	Reddicherla, Murali Mohan
Kushwaha, Aman	Moradian, Taher	Rezaei Pour, Setareh
Ladley-Aguilar, Orla	Morton, Cheryl A.	Robbins, B.
Langley, Natasha	Mosleh, Abdul Shabeer	Sabah, Amineh
Layne, Ashanta Susan	Moubasher, Medhat	Sadat, Wazhma
Lealva, Gilberto Heras	Moubashier, Yahya	Saha, Swati
Lee, Hye Young	Mudassir Baig, Mirza	Said, Hany Andrawes
Lewis, Delano	Munnangi, Pragna	Saldanha, Jocelyn Mary
Li, Mei Yu	Naeem, Mohammad Irfan	Salloom, Asad J.
Liuas, Amir	Nagarajan, Sethu Rama	Salloum, Inasse
Louis, Shamly Mol	Lingam	Sama, Abhinay
Lourenco, Idalina Ana De	Nagib, Michael Daoud	Samathanam, Ridma
Norberto	Najimzada, Zarlisht	Samathanam, Roy
Lousararian, Takouhi	Namulindwa, Deborah	Sanchez Bautista, Ricardo
Lousararian, Viken	Narra, Jaswanth	Sanidad, Jasmin
Lutaaya, Johnmall	Nasrishorize, Sabah	Santi, Swathi
Macri, Ralph	Nimmala, Muthyam Reddy	Santos, Wendy Annette
Madaria, Mukesh	Ogbonna, Tricia Chioma	Sawant, Shaunak
Mahendran, Suresh Kumar	Osama Arman, Syed	Sayeed, Ahmed Azhar
Mahmoud, Kamal	Osman, Fatma Mohamed	Sepulveda, Juan
Maknojia, Shiraz	Paduri, Akhila	Shah, Harshil Kumar
Malik, Parul	Palanippan, Pandia Rajan	Rakeshkumar

Shah, Rushang Pankajbhai	Suryawanshi, Siddharth	Walters, Joseph Charles
Shah, Vandit Rahulkumar	Talari, Sugunakar	Watson, Bruce
Shah, Vishalbhai	Talesh Sasani, Kaveh	Watson, Danielle
Indravadanbhai	Tamayo, Charimen	Watson, Patrick
Shajariaboukheili, Sahebeh	Tamseen, Asra	Waul, Chevion
Shaji, Josh	Tasew, Sebhath Gebrehiwot	Wei Shi (William),
Shaker Kordgheshlaghi,	Tenaglia, Lesley	Welcome, Ezra Ivanoe
Narges	Tendayi Innocent, Danha	Weldemariam, Meaza
Shams, Arezoo	Thamatam, Pavan Kumar	Tesfaye
Sharaf Addin, Ahmed	Reddy	Yacoub, Ashraf Emil
Mohammed Mohammed	Theeb, Rasha Wahab Theeb	Yerneni, Bala Akhil Varun
Sharief, Sarwar	Thomas, Kevin	Yerram, Rajendra Prasad
Sheikh, Imtiaz	Thomson, Tresa Mariya	Reddy
Singh, Hansa	Thrumaran, Vennila	Youdom Pedy, Asriel Wilfried
Singh, Sudhanshu Ramesh	Trambadia, Kunal Jagatkumar	Yousef, Jamal A. Fattah
Bahadur	Troester, Elizabeth	Youssef, Ragaa
Singh Kaberwal, Inderpreet	Trunkwala, Husain Yusuf	Yusuf, Asli
Sisay, Bizuayehu Zinabu	Vallabhaneni, Himaja	Zahedzahedani, Maryam
Subramani, Subhalakshmi	Vance, Harry James	Zaman Rashik, Syed Tahmid
Sudhakar, Suguna	Vasireddy, Pavan	Zandevakili, Ehteram
Sumayya, Fatima	Vasukula, Shirley	Zilkar, Richard A.
Sung In, Son	Verma, Prrajwal	Zourob, Hassan Jassim
Sunoj, Basil	Wagih, Mona	

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 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 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 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 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.