Order under Section 126
Residential Tenancies Act, 2006

File Number: LTB-L-078375-23

In the matter of:	1122 DON MILLS ROAD, TORONTO, ONTARIO, M3B 2W3	
Between:	NIOT INVESTMENT HOLDINGS LIMITED	Landlord
	and	
	Refer to attached Schedule 2	Tenants

NIOT INVESTMENT 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 Case Management Hearing took place by videoconference on December 16, 2025.

The following parties attended the hearing: The Landlord's Representative Paul Cappa, Landlord Agents Ajay Dhruba & Janet Connolly, and three Tenant parties, Barb Leung (representing Unit 306), Janice Woolford (Unit 502), and Chanda Medeiros (Unit 604).

The Certificate of Service filed by the Landlord on November 13, 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: 101, 202, 207, 209, 212, 302, 303, 305, 307, 406, 407, 501, 504, 505, 507, 510, 601, 603, 606 and 611.

At the case management hearing, the parties reached an agreement and requested an order on consent to resolve the application.

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

1. The maximum rent increase above the guideline because of capital expenditures is 3.53%. This increase is for the following capital expenditures:

    a. Riser Replacement;
    b. Asphalt & Concrete Sitework; and
    c. Electric Panel Retrofit.

2. Where the Landlord's application requests an increase of 3.53%, the maximum increase above the guideline for these units is 3.53%. This increase is to be taken as follows: 3.00% in the first year, and 0.53% in the second year.

3. Where the Landlord’s application requests an increase of 3.42%, the maximum increase above the guideline for these units is 3.42%. This increase is to be taken as follows: 3.00% in the first year, and 0.42% in the second year.

4. The weighted useful life for the capital expenditures is as specified on Schedule 3.

5. The first effective date of the rent increase above the guideline is January 1, 2024.

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 90 days of the date of this order.

January 20, 2026
Date Issued

Adam Rogers
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 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 and for 2025 is 2.50%.

Schedule 1 - Units affected by this Order:

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Schedule 2 - Tenants who are Affected by this Order:

Ardjan, Bali
Aucoin, Linda
Borozon, Lurie
Boxell, Denise
Brown, Larry
Candace, Daniel
Chetan, Desai Harsh
Copeland, William
Daly, Geraldine
Degannes, Rosemary
Elias, Janet
Gotlieb, Ellie
Grzywna, Maureen
Hayes, Victoria
Hill, Dianne
Keeling, Marilyn
Lee, Eva
Lee, Isabel
Leung, Enid
Lynch, Jamie
Massihi, Vesna
Medeiros, Chanda
Morovics, Janka
Morphet, Patricia
Mourgan, Remah
Munroe, Sujani
Murray, Lindsay
Parent, David
Ramsawak, Dianne
Reventar, Michael
Riddolls, Laurie
Robert, Diane
Sen, Mita
Sen, Monita
Smith, Dianne
Sturdy, John
Verardo, Andy
Williams, Michael
Woolford, Janice
Zegarac, Vicky
Zerafa, Oliver

Schedule 3 - Ordered Rent Increase Above the Guideline
First Effective Date of Rent Increase in this Order is January 1, 2024
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.

For the period of:	January 1, 2024 to December 31, 2024		January 1, 2025 to December 31, 2025			
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
100, 1122 Don Mills Road	3.00%	3.00%	0.42%	0.42%	22	3.42%
102, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
103, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
104, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
105, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
201, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
203, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
204, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
206, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
208, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
301, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
304, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
306, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
308, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
309, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
310, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
311, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
312, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
401, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
402, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
403, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
404, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
408, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
409, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
410, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
411, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
412, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
502, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
503, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
506, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
508, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
509, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
511, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
512, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
602, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
604, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
605, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
607, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
608, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
609, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%
610, 1122 Don Mills Road	3.00%	3.00%	0.53%	0.53%	22	3.53%

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 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 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 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 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.