



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

**File Number:** LTB-L-078363-23

**In the matter of:** 159 & 161 UNIVERSITY AVENUE EAST  
WATERLOO, ONTARIO, N2J 2W4

**Between:** GF II 159 & 161 UNIVERSITY AVENUE LTD. Landlord

**and**

Refer to attached Schedule 2 Tenants

GF II 159 & 161 UNIVERSITY AVENUE LTD (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 Patty Duwyn, several Landlord agents and several tenants.

The Certificate of Service filed by the Landlord on November 7, 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: 5, 11, 12 at 159 University Avenue East, and Unit 1 at 161 University Avenue East.

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 0.70%. This increase is for the following capital expenditures:
  - a. Security Cameras and Access Control Systems; and
  - b. Toilet Retrofit.
2. Where the Landlord's application requests an increase of 1.11%, the maximum increase above the guideline for these units is 0.70%. This increase is to be taken in the first year.

3. Where the Landlord's application requests an increase of 0.89%, 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 15 years.
5. The first effective date of the rent increase above the guideline is January 1, 2024.
6. The Landlord agrees to calculate and increase the rent charges in accordance with the outcome of this order. However, the Landlord agrees they will not collect any retroactive arrears generated from this AGI, back to the first effective date, up to the date of this order.

**On consent of the parties, it is ordered that:**

1. The Landlord may increase the rents charged by 0.70% 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 January 1, 2024, to December 31, 2024.
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 will waive claim to any sum of money that is owed to them as a result of this order, in accordance with the agreement.
5. The Landlord shall pay to the Tenants any sum of money that is owed as a result of this order within 90-days from the date of this order.

**January 20, 2026**  
**Date Issued**

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

**Schedule 1 - Units affected by this Order:**

**159 University Avenue East, Waterloo, Ontario, N2J 2W4**

1  
2  
4  
6  
7  
8

**161 University Avenue East, Waterloo, Ontario, N2J 2W4**

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

**Schedule 2 - Tenants who are Affected by this Order:**

Charlton, Brad  
Cossaboom, Jeffrey  
Darechuk, Richard  
Dupuis, Erin  
Facey, Tysha  
Fedy, Kathy  
Gray, Cynthia  
Green, Eoghan  
Jacobsen, Nancy  
Keller, Barbra  
Koy, Christopher  
Kuehn, Sonny  
Kurt, Deanna  
Larsen, Amanda  
Lewis, Joseph  
McComish, Rochelle  
Rheaume, Lile  
Shaw, Jehaan  
Simmons-Cossaboom, Nancy  
Treger, Emma  
Ulusoy, Asuman  
Varga, Julia

### **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.