



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-021805-25

In the matter of: 450 Highland Avenue, London, ON, N6C 5E1

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.

This application was resolved by written hearing. The Board received submissions from the Landlord and the Tenants: Manal Balush and Mariam Alrashid. The Landlord replied to the Tenants.

It is determined that:

Municipal Taxes and Charges

1. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the municipal taxes and charges. I find that the increase in the municipal taxes and charges is “extraordinary” because the percentage increase between the reference year and the base year is greater than the guideline rent increase plus 50% of the guideline (section 28 of O. Reg. 516/06).
2. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 1.20%. This increase is to be taken in the first year.
3. 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 LTB 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: 107, 204, 209, 210, 305, 401, 403, 405, 501, 505, 507, 602, 705, 803, 810, 1003 and 1009.

4. The Certificate of Service filed by the Landlord on November 7, 2025, indicates that some tenants listed in the application were not served with the application and notice of hearing. The LTB shall therefore amend the application by removing a tenant. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following tenant: Silpale Gedara Wickramasinghe.
5. The Board received submissions from Manal Balush and Mariam Alrashid. In their submissions, the Tenants raise maintenance issues including bathroom ceiling vent issues, cockroach and insect infestation, odours entering the rental unit, extremely cold within the rental unit where the floor becomes icy (including a zoomed in photograph of what looks like ice on a floor), a broken balcony door, and a lack of Landlord response to maintenance issues raised.
6. Subsection 126(12) of the Act refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issues raised by the Tenants, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligation. A disrepair problem that is not "serious" as that term is used under the Act is not relevant to these proceedings. However, the Tenant(s) is entitled to file their own applications at the Board in respect of these issues.
7. The Tenant, Manal Balush, also submits that they had received a rent increase about six months prior and believe the increase to be unfair and too high.
8. The validity of a Notice of Rent Increase a Tenant receives or allegations of unlawful rent increases are not issues that the Board can consider under this application and is therefore not relevant to these proceedings. If the Tenants believe there has been an illegal increase they are entitled to file their own applications at the Board in respect of these issues but must do so no later than one year after the rent increase came into effect.
9. Although the Tenant may feel it is unjust, the Board is a creature of statute charged with applying the law as written. Section 126 of the Act specifically provides that a Landlord may apply for an AGI for an extraordinary increase in the cost for municipal taxes and charges for the residential complex or any building in which the rental units are located. The Board cannot stop the Landlord from exercising its right to apply for an above guideline rent increase.
10. The first effective date of the rent increase above the guideline is July 1, 2025.
11. I have accepted the Landlord's amended application filed with the Board on August 11, 2025.

It is ordered that:

1. The Landlord may increase the rents charged by 1.20% 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 July 1, 2025, to June 30, 2026.
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 60 days of the date of this order.

January 23, 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 Landlords 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 Tenants moved in, and if the Landlords have given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlords have given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlords may only take the rent increase set out in the Notice.
3. The annual guideline for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

450 Highland Avenue, London, ON, N6C 5E1

1001	1106	1209	0208	0407	0604	0708	0903
1002	1107	1210	0301	0408	0605	0709	0904
1004	1108	0101	0302	0409	0606	0710	0905
1005	1109	0102	0303	0410	0607	0801	0906
1006	1110	0106	0304	0502	0608	0802	0907
1007	1201	0108	0306	0503	0609	0804	0908
1008	1202	0109	0307	0504	0610	0805	0909
1010	1203	0201	0308	0506	0701	0806	0910
1101	1204	0202	0309	0508	0702	0807	
1102	1205	0203	0310	0509	0703	0808	
1103	1206	0205	0402	0510	0704	0809	
1104	1207	0206	0404	0601	0706	0901	
1105	1208	0207	0406	0603	0707	0902	

Schedule 2 - Tenants who are Affected by this Order:

Abdi, Yasen
Abu Taleb, Roksana
Adeshara, Pratik Trusharbhai
Al Fuady, Judith
Al Keshk, Hussam
Alrashid, Mariam
Arnold, Nicole
Bailey, Nicole
Bailey, Sasha
Balush, Manal
Belay, Tsegay
Biggar, Mercy Jabison
Braca, Mary Louisa
Braley, Brian
Chaplin, Julia
Cherry, Michael
Chung, James
Clark, Erika
Cruz-Cordero, Magalys
Cullens, Sarah
Da Silva, Jose
De Campos Roeder, Joao Vitor
Doey, Les
Doey, Margaret
Dudleigh, Jennifer
Dukhan, Naiela
Dyer, Linda
Elhassan, Muna
Erdesz, Randi
Farag Alla, Kyrillos
Ferguson, Seamus
Fernandez Torres, Milena
Ferreira Martinez, Carmin Lucero
Foran, Samantha
Fortner, Marilyn
Friesen, Gerhard
Frise, Donald B.
Hage-Hassan, Hidaya
Hamad, Sangar
Hassan Shoriff, Abdul
Hatamleh, Omar
Idris, Waddah
Imotsikeme, Martins
Jajah, Enock

Jamieson, Eric
Jeon, James Sj
Johnson, Joseph
Kerr, Evan
Kolodchuk, Alisa
Labine, Karri
Landriault, Alicia
Lariviere, Damian
Laxamana, Nelly
Lemon, John
Lemon, Michelle
Lopez Ascencio, Lazaro
Lozano Cuadros, Luz
Lynch, Garfield
Mackay, Jake
Macqueen, Mary
Mahmoud, Ghazal
Maphosa, Dumolwenkosi
Marcil, Noela
Martin, Valerie
Martin, Warren
Mcconnell, Pamela
Mcdonald, Kristofer
Mcgorman, Michael
Mclean, Lorraine
Mcleish, Susan
Mercer, Shane
Miller, Dean
Mohd Sharif, Mogul
Momin, Zayaan
Mukhtarov, Ruslan
Munro, Melissa
Olajos, Misty Amber
Oril, Bryan
Pandreka, Bhargavi
Patel, Ajay
Pellettier, Jeff
Pellettier, Shawnda
Perez, Alejandro
Peters, Amanda
Pierce, Noah
Podgorica, Asim
Porcayo Valle, Oralia
Poschardt Antunes Mello, Caio

Prince, Robert
Quezada Perez, Mario
Rajapaksha Thewage, Nipuni
Madhurangi
Romanec, Erik
Rozman, Jennifer
Salim, Al
Salton, Melody
Seaman, James
Sly, Marnie
Small, Sabrina
Smith, Jessica
Smith, Richard
Stewart, Siobhan
Stuckless, Jennifer
Swanson, Rachel

Teolis, Paul Daniel
Thames Valley*, Cmha
Thompson, Tim
Tucker, Joy
Van Veen, James
Varga D., Superintendent 450h
Verdon, Sarah Jean
Vianna Silva, Thalia
Wanamaker, Jennifer
Wastell, Jean
Weichenthal, Christina
Weir, Dianna
Willcoks*, Corinne
Williamson, Darryl
Young, Steve