



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-021812-25

In the matter of: 1761 Sheppard Avenue East, Toronto, ON, M2J
0A5

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 deadline for Tenant written submissions was December 10, 2025. The Board received submissions from Tenants Catalina De Pombo Román, Hatice Soysev and Hayat Ali. Any submissions received past the deadline have not been considered.

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 0.18%. This increase is to be taken in the first year.
3. The Certificate of Service filed by the Landlord on November 6, 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: 103, 302, 305, 312, 313, 411, 501, 508 and 705.

4. The first effective date of the rent increase above the guideline is July 1, 2025.
5. The Board received submissions from Catalina De Pombo Román, Hatice Soysev and Hayat Ali. In their submissions, the tenants raise maintenance issues. These submissions were taken into consideration to the extent we can under the legislation. The Landlord's reply was also taken into consideration.

The Landlord's Right to Apply

1. The Tenant, Catalina De Pombo Román, submits that the Landlord did not make any significant improvements or major repairs benefitting Tenants that would justify an above guideline increase. The Tenant submits further that municipal tax increases are already accounted for in the annual rent increase guideline.
2. Although the Tenants 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 above guideline increase 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.

Maintenance

6. The Tenants, Hayat Ali, and Catalina De Pombo Román made submissions about maintenance at the issues at the residential complex arguing that some or all of the Landlord's application should be delayed or denied. They raise the following maintenance issues:
 - a. Pest infestation including cockroaches
 - b. Garbage room cleanliness
 - c. Lack of timeliness in response to maintenance issues including air conditioner repairs.
 - d. Low security – lack of cameras on each floor and security or concierge
 - e. No common area repairs
7. 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.

Validity of Notice of Rent Increase

8. The Tenant, Hayat Ali, submits that the Landlord failed to provide them with a proper Notice of Rent Increase for 2025 or 2026.
9. The Tenant, Hatice Soysev, included a Notice of Rent Increase in their submissions to the Board, but included no written submissions.
10. The validity of the Notice of Rent Increase forms (N1 form) the Tenants received 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 Tenant(s) 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.

Out of Scope Submissions

11. The Tenants, Hayat Ali, and Catalina De Pombo Román made submissions about a number of issues which, while I understand are of importance to the Tenant, are not relevant and for which the Act does not permit me to consider in the hearing of this matter. These issues include:
 - a. Safety concerns
 - b. Delays in requests to change locks
 - c. Stolen property
 - d. Emotional distress and impacts
 - e. Access to government supports and community resources
 - f. Timeliness of response by the Landlord to Tenant requests and concerns

Financial Hardship

12. The Tenant, Catalina De Pombo Román, made submissions that families across Toronto experiencing financial pressure due to inflation, rising food prices, and overall increases in the cost of living. They submit that an approval of the sought above guideline increase would impose an unreasonable and disproportionate financial burden on Tenants who are struggling.
13. 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 eligible capital expenditures incurred respecting the residential complex or rental units. The Board cannot stop the Landlord from exercising its right to make application for an above guideline rent increase.
14. In respect to the Tenant's submission of financial hardship, the Act does not provide the Board with the authority to consider the financial impact on the tenants of an AGI when determining whether a landlord's AGI application should be granted or denied.

15. As always, if the Landlord is amenable to a longer repayment plan for those Tenants facing financial hardship that remains within the Landlord's discretion

It is ordered that:

1. The Landlord may increase the rents charged by 0.18% 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.

February 11, 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 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

1761 Sheppard Avenue East, Toronto, ON, M2J 0A5

0101	0211	0307	0412	0507	0610	0704	0714
0102	0212	0308	0413	0509	0611	0706	0715
0104	0213	0309	0414	0510	0612	0707	
0105	0214	0310	0415	0511	0613	0708	
0106	0215	0311	0502	0512	0614	0709	
0107	0301	0314	0503	0513	0615	0710	
0108	0303	0315	0504	0514	0701	0711	
0209	0304	0409	0505	0515	0702	0712	
0210	0306	0410	0506	0609	0703	0713	

Schedule 2 - Tenants who are Affected by this Order:

Abbas, Zeinab
Abdulmutalib, Khuloud Khalid Almahdi
Aburodes, Anis Abubaker Salem
Aden, Kadar Ibrahim
Aden, Mohamed
Aguirre, Raquel
Al-Bayati, Omar
Anand, Ojal
Baluyot, Irish Marie
Bokka, Vaishnavi Reddy
Borges, Paulo
Brovchenko, Igor
Brown, Marlene
Castillo Fuentes, Simon Pedro
D'Souza, Rohan
Danao, Artemio
Danish, Ahmad Farid
Davidson, Dawn
De Pombo Roman, Catalina
Dizon, Coji
Dizon, Kyra Salvador
Dizon, Roque Tubera
Du, Xuan
Dubeau, Jean-Guy
Dubei, Khrystyna
Dueck, Claude
Edwards, Leon
Faruk, Ishtiaque
Fawad, Ahmad
Ganesan, Madhan
Garcia, Mary Jane
Gettins, Shaun
Goral, Tomasz
Harris, Lisa
Hayat, Ali
Ismaili, Lumjana
Jakku, Rahul Reddy
Koshkarova, Maria Evgenyovna
Laguna, Antonio
Li, Dong
Macandog, Marian
Maria Anthonysamy, Arockia Raj