



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-021810-25

In the matter of: 1751 Sheppard Avenue East, Toronto, ON, M2J
0A4

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: Vicky Diec and O'Shayne Foote. The Landlord replied to the Tenants.

Preliminary Matters

1. The Tenants, Vicky Diec and O'Shayne Foote, submit that the deadline to file the Landlord's application is 90 days after receiving their final tax bill dated May 4, 2024. They submit that the Landlord filed their application on March 12, 2024, roughly ten months after that deadline and that the Landlord indicated that the rent increase should be "backdated to July 2025". They submit that rent increases cannot be retroactive and are therefore "procedurally invalid." They submit that they were unaware that the Landlord filed anything until November 5, 2025.
2. Pursuant to s. 126(3) of the Act, the Landlord must file their application for a rent increase above the guideline at least 90 days before the effective date of the first intended rent increase referred to in the application. Here, the Landlord filed their application on March 13, 2025, more than 90 days before the effective date of the first intended increase, being July 1, 2025 for this application. As such, I am satisfied that the Landlord has filed their application within the requirements set out under s. 126(3) of the Act.

3. For added clarity, when the Board sets a matter down for a written hearing, the Board issues to the Landlord an Order to Serve, providing that the Landlord must serve on affected parties, a copy of their application in addition to the Notice of Written Hearing package. In this case, the Landlord was required to serve those documents on the affected Tenants, no later than November 6, 2025. Their Certificate of Service, filed with the Board on November 7, 2025 indicates that the Landlord served the Tenants, Vicky Diec and O'Shayne Foote, on November 5, 2025.

It is determined that:

Municipal Taxes and Charges

4. 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).
5. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.20%. This increase is to be taken in the first year.
6. 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: 313, 405, 407, 510, 702, 707, 708 and 713.
7. The first effective date of the rent increase above the guideline is July 1, 2025.

Financial Hardship

8. Tenants, Vicky Diec and O'Shayne Foote, made submissions, including documentary evidence, seeking relief because they face significant financial obligations.
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 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.
10. 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. Pursuant to subsection 205(2) of the Act where the Board makes an order for a rent increase above the guideline and that order is made more than three months after the first effective date of a rent increase in the order, the Board may permit a tenant to pay the Landlord the amount owing in monthly instalments.

11. Pursuant to subsection 205(2) of the Act, given that this order will issue more than three months after the first effective date of the above guideline rent increase herein, I am permitting the Tenants, Vicky Diec and O'Shayne Foote, to pay any amounts owing to the date of the order in 4 monthly installments starting 30 days from the issuance date of this Order.
12. 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 0.20% 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 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.
5. The Tenants, Vicky Diec and O'Shayne Foote, shall pay any amount owing to the Landlord as a result of this order in 4 monthly installments, beginning 30 days from the issuance date of this Order.
6. For all other Tenants, they shall pay to the Landlord 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:

1751 Sheppard Avenue East, Toronto, ON, M2J 0A4

0108	0202	0304	0314	0503	0513	0607	0710
0109	0203	0305	0315	0504	0514	0701	0711
0110	0204	0306	0401	0505	0515	0703	0712
0111	0205	0307	0402	0506	0601	0704	0713
0112	0206	0308	0403	0507	0602	0705	0714
0113	0207	0309	0405	0508	0603	0706	0715
0114	0301	0310	0406	0509	0604	0707	
0115	0302	0311	0501	0511	0605	0708	
0201	0303	0312	0502	0512	0606	0709	

Schedule 2 - Tenants who are Affected by this Order:

Abdulrasul, Mohammed	Garakupati Sathyanarayana,	Palon, Liezel
Alam, Saleha	Manoj	Panday, Tharun
Alfaro, Nicole	Ginjunpalli, Sri Harsha	Pandya, Adarsh
Ardon, Graciela Cristina	Goddard, Gillian	Patel, Maqsd
Atienza, Edgar Oliver Peregrino	Govil, Aanchal	Quinapondan, Ann
Atienza, Joan Binoya	Govindasamy, Sathiyaseelan	Quinn, Yanet
Bante, Chandrakant	Gundapaneni, Chandra Babu	Rivadeneira Falconi, Santiago
Beaulieu, Karima	Gupta, Shivangi	Guillermo
Bhogal, Indresh	Hariharan, Vivek	Rubino, Ralph
Caes, Emilie	Hashmi, Hamid Ali	Ruci, Pellumb
Calder, Blythe	Karimipour, Maziar	Ruci, Suada
Callao, Leanna	Khan, Ahmad Mansur	Sadaf Kauser, Ahmed
Canagasabey, Christina	Kour, Supreet	Sajja, Kundhan
Canagasabey, Deshaun	Kumar, Prasanna	Sanchez, Ezequiel
Carino, Lilibeth	Kumar, Sonu	Sarmiento Castaneda, Gloria
Castillo Lopez, Samantha	Lizardo, Geronimo Tabo	Angelica
Tiffany	Lizardo, Wilhelmina Mojet	Semhar, Michael Zendie
Chandhok, Ashok	Dayag	Shareghi Boroujeni, Arghavan
Chapman, Anne	Mahmoud, Mohamed Abbas	Simhadri, Uday Bhaskar Reddy
Dasggupati, Suresh Babu	Majithia, Vaibhav Vinod	Singhal, Anmol
Delaunay, Tonisha	Mehr, Ramin Azizi	Srinivasan, Naveenganesh
Diec, Vicky	Meka, Raj Gopal Reddy	Suzuki, Carrol
Drab, Joseph	Mita, Eleana	Tabassum, Sahera
Elezi, Astrit	Mita, Vjollca	Tahmasian, Hovik
Elezi, Elona	Mita, Vladimir	Thompson, Christina
Equipelag, Junlee	Mohammed, Khader	Thota, Anvesh
Ferrufino, Irma	Mohammed, Mudassir Ahmed	Torno, Rose
Foote, O'Shayne Santoy	Mohammed, Sohail Sajid	Uliniski, Jessica
Gadea, Maria Charmaigne	Mostafa, Rana Mohamed	Vyas, Jiyan Pushkarkumar
Gandham, Rashmitha	Mubeen, Haq Ul	Wu, Wenqi
Ganeshan, Dinesh	Nachu, Arun Reddy	Yacob, Amin
	Oruganti, Tejaswini	