Order under Section 126
Residential Tenancies Act, 2006

File Number: LTB-L-057776-23

In the matter of:	340 The East Mall, Toronto, Ontario, M9B 3Z6	
Between:	340 The East Mall Ltd.	Landlord
	And	
	Refer to attached Schedule 2	Tenants

340 The East Mall 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 January 22, 2026.

The following parties attended the hearing on behalf of the Landlord: Heather Waese (Landlord Representative), Gaurav Jagtap (Landlord Agent), William Wang (Landlord Agent), Margaret Stasiak (Landlord Agent), Penny Colomvakos (Landlord Agent) and Midrag Milic (Landlord Agent).

The following parties attended the hearing on behalf of the Tenants: Kim Haggarty (308), Jhon Pena for Arbey Pena (403) and Kathy Marsh (806).

The Certificate of Service filed by the Landlord on December 30, 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: 106, 110, 111, 206, 309, 506, 605 and 805.

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

1. The maximum rent increase above the guideline because of capital expenditure is 1.37%. This increase is for the following capital expenditure:
    a. Roof Replacement.

2. The increase above the guideline is 1.37%, as claimed in the Landlord's application. This increase is to be taken in the first year.

3. The weighted useful life for the capital expenditures is 15 years.

4. The first effective date of the rent increase above the guideline is September 1, 2023.

5. The Landlord is waiving the Above Guideline Increase portion of the rent owing by the Tenants for the period from September 1, 2023, through to February 28, 2026. The Landlord will not collect the outstanding amount for that period from Tenants who have not yet paid the Above Guideline Increase amounts and the Landlord shall credit those Tenants who have paid the Above Guideline Increase amounts. The waiver of the Above Guideline Rent Increase for the period September 1, 2023, through to February 28, 2026, does not affect the lawful monthly rent and commencing March 1, 2026, the Tenants shall pay the full lawful monthly rent, including the Above Guideline Increase portion of the rent resulting from this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 1.37% for the units set out in Schedule 1.
2. The percentage increase set out in paragraph 1 is to be taken as follows:
    a. The Landlord may increase the rents charged by 1.37% within the time period of September 1, 2023, to August 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 shall credit any sum of money that is owed to the Tenants as a result of this order within 60 days of the date of this order.

February 26, 2026
Date Issued

Cheryl Lavoie
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 2023 is 2.5% and for 2024 is 2.5%.

Schedule 1 - Units affected by this Order:

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Schedule 2 - Tenants who are Affected by this Order:

Abbas, Mostafa
Abreha, Mequament
Abubakar, Mohamed
Aden, Suadia
ALI, ABDIRAHMAN
Alsheblaq, Ansaf
Annor, Agnes
Aponte, Chrystian
Applah, Benjamin Jacob
Atkins, Joanne Marie
Bajin, Ana
Bajin, Vladimir
Bautassis, Eugenia
Beroy, Renato
Bowles, Kevin
Bowles, Ronald
Bowles, Sandra
Buttler, Timothy
Cabral, Lilia
Calouro, Andre
Campbell, Nancy
Carvalho, Humberto
Catapan Malabuyoc, Eleanor
Christiani, Ibolya
Christiani, Peter
Clarke, Meghan
Dasilva, Esmeralda
De Jesus, Sherwin
Dobaria, Ashish Navrozbhai
Edwards, Shadae
Engelhart, Tom
Ewing, Jeffrey
Ewing, Patricia
Fenwick, Steve
Fialek, Magda
Fialek, Malgorzata
Fialek, Stanislan
Fialek, Tomasz
Genet, Abara
Gimotea, Jeanette
Gjolaj, Gjelin
Gonzalez, Gabriela
Gornik, Dorota
Gryglewics, Janusz
Haggarty, Kim
Haridi, Eman
Harriott, Gerald
Heron, Carol
Imber, Diane
Imber, Diane
Imber, Sharon
Johnson, Judy M.
Johnston, Margaret
Jovanovich, Charles
Kacprazak, Elzbieta
Keleta, Meron
Koziak, Ann
Koziak, Chris
Lupulovici, Diana
Lupulovici, Filomena
Mac Phee, Donald
Mahmoud, Basel
Mancipe, Laura
Maraboli, Danilo
Marsh, Kathy
McDowell, Nancy
Obieta, Andres
Oliynyk, Lubov
Pena, Arbey
Picardal, Carizza
Rank, Donna
Sanderson, Donna
Santana Gomez, Santos
Santia, Carlo
Santos, Veronica
Schmidt, Alfred
Silva, Carmen
Sokraj, Tania
Sousa, David
Sterling, Charmaine
Suklje, Cathy
Suklje, Joseph
Suklje, Tony
Sumlak, Nick
Tarig, Ali
Trajkovski, Igor
Trajkovski, Renata Milanova
Walker, Maleanie
Welch, Brenda
Welch, Glenn

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 the period 2023 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 the period 2023 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.