



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-070440-25

In the matter of: 3425 Morning Star Drive
Mississauga, Ontario, L4T 1Y1

Between: Capreit Limited Partnership Landlord

And

Refer to attached Schedule 2 Tenants

Capreit Limited Partnership (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 Tenant Nassiene Henry – Unit 105. A reply to the Tenant's submission was received from the Landlord.

Preliminary Matters

Extension of Time For Filing Certificate of Service

1. The Order to Serve set out that the Landlord was required to serve the parties the Notice of Hearing package by November 17, 2025 and to file their Certificate of Service of having done so by November 22, 2025.
2. The Landlord, through their reply submissions, requested an extension of time for filing their Certificate of Service for the Notice of Hearing package to December 29, 2025. I note the Certificate of Service, filed with the Board on December 29, 2025, provides that the parties were served with the Notice of Hearing package on November 14, 2025, within the above noted deadline. The Landlord submits that the delay in filing the Certificate of Service was an administrative oversight and does not prejudice the parties since they were served with the required documents within the required timelines.
3. I am satisfied that the prejudice to the parties caused by the late filing of the Landlord's Certificate of Service was minimal since the affected parties were serviced with the Notice of Hearing and accompanying package within the

deadline for doing so and therefore had notice of these proceedings as required. The request to extend time is therefore granted.

Municipal Taxes and Charges

It is determined that:

4. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the cost for 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 0.50%. This increase is to be taken in the first year.
6. The first effective date of the rent increase above the guideline is January 1, 2026.

Validity of Notice of Rent Increases

7. The Tenant residing in Unit 105, submits that they received a notice of rent increase in October of 2025 and that on this basis, they do not believe that the above guideline increase sought in this application can apply to them.
8. 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. However, for the sake of clarity and the benefit of the parties, I note that s. 32(1) of the Regulation says the guideline rent increase “may only be taken within 12 months of the first intended rent increase referred to in the application for a rental unit in the residential complex”. In other words, if the first effective date on the application is January 1, 2026, a notice of rent increase that includes the above guideline increase must be served at least 90 days in advance of the effective date of the notice of rent increase and the effective date must be between January 1, 2026 and December 31, 2026. Where a landlord serves only a guideline notice of rent increase in the relevant 12-month period, that landlord would not be entitled to the above guideline rent increase because of s. 32(1) of the Regulation and s. 116(1) of the Act. 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.

It is ordered that:

1. The Landlord may increase the rents charged by 0.50% 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, 2026, to December 31, 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.

March 12, 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 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 Tenants moved in, and if the Landlord has given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlord has given 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. The annual guideline for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

100	206	309	413	516	702
101	207	310	414	517	703
102	208	311	415	601	704
103	209	312	416	602	705
104	210	313	417	603	706
105	211	314	501	604	707
106	212	316	502	605	708
107	213	317	503	606	709
108	214	401	504	607	710
109	215	402	505	608	711
110	216	403	506	609	712
111	217	404	507	610	713
112	301	405	508	611	714
113	302	406	509	612	715
114	303	407	510	613	716
201	304	408	511	614	
202	305	409	512	615	
203	306	410	513	616	
204	307	411	514	617	
205	308	412	515	701	

Schedule 2 - Tenants who are Affected by this Order:

Abraham, Basheer Ahmad
Ahamed, Imran
Ahmed, Rena
Ahmed, Syed Irshad
Akhigbe, Jackson
Akhigbe, Victoria.F
Amirtharaj, Maria
Ancheta, Olympio Victor
Asomani, Rita
Balasurramaniya, Aruna
Bamrah, Davinder
Bascom, Ronald
Bell, Kerrian
Benjamin, Aubrey
Benjamin, Jacqueline
Benn, Lorraine
Bhatia, Gagan
Bhattacharjee, Deb/Kumar
Botari, Sarah
Bradshaw, Andre Robert
Bradshaw, Marlene Yvonne
Bromfield, Chester
Burke, Christina Alicia
Chacko, Shijo Mathew
Cobourne, Empress
Collado, Pedro
Dadabhoy, Saalim
Darhela, Avtar Singh
Darhela, Gursharan Kaur
Deas, Danielle/V/S
Desai, Yunus
Diep, Chi Hung
Diep, Thuy Lam
Dilmamode, Bibi Sahida
Dilmamode, Hassen
Dixon, Lydia
Elneanaey, Raghdha
Elos, Bereket
Ferguson, Derrick
Fonseka, Aleena
Fonseka, Roshal
Ganchi, Sohail
Garbutt, Tracia
Gharibuyar, Atal

Gomez, Alvaro
Gunnis, Tiosha
Hamilton, Kimarley
Henry, Nassiene
Hirsi, Zeinab
Husman, Bibi Nisha
Hussein, Halima
Isse, Quman
Jadwat, Ashraf
Jattan, Narsingh
Javed, Kashif
Johnson, Natesha Claudia
Jovan, O'connor
Kang'eri, Mercy Nyambura
Kara, Fahim Mohamed
Kara, Mohamed Hanif
Karkera, Jeevanprakash
Karkera, Sheela
Kavumkal, Sam
Kayeye, Jeremie Charles
Kayeyewamuyamba, Matilde
Khan, Nahid Samiullah
Khan, Wazim
Khan, Zaheer Abbas
Kisseur, Padmini
Kore, Omar
Koya, Ibrahim
Kumari, Bindu Sarala
Lal, Ishwar
Lalsingh, Bertrand
Lewis, Leiba
Lewis, Selwyn C
Lokhande, Nikhil Parkash
Lopez, Jenny Maria
Mahmood, Tahir
Martin, Linda Maria
Mbugua, Peter Mwaura
McClean, Nadia
McLeod, Kerifa
Mehmood, Arshad
Miller, Carlton
Mohamed, Saleem
Mohamud, Hussein
More, Tejal Deepak

Morris, Deniese
Mulla, Abdulsamad
Mulla, Altaf
Mwaura, Jacinta
Nagulan, Viruba
Narayana, Swarna
Nayak, Rashmirani
Nayak, Sunil
Nkrumah, Akwasi
Northover, Claude
Odeyinka, Omorinola
Oppong, Emmanuel
Pascal, Matthew
Patel, Afzal
Patel, Farhana
Patterson, Annette
Paul, Gurjinder Kaur
Popal, Rafi
Prasanna, Pruntha
Prasanna, Venkatesan
Ramroop, Mohanee
Rathore, Ajeet
Reid, Kim Nicole
Ricketts, Shannice
Roopmattie, Roopmattie
Roy, Gautam
Saini, Surjit
Saleh, Mohamed
Saleh, Nura
Saleh, Sumeya
Salgado, Kathia
Saman, Asia
Sandhu, Arvinder Singh
Sawyers, Tanya
Seecharan, Dhruva
Seecharan, Jasoda
Shaikh, Mohammadsamir
Shallow, Monique
Sharma, Dharm Narayan
Shirwa, Ahmed
Siddiqui, Ruba/Naz
Simmonds, Brenda
Singh, Hardeep
Singh, Narendra
Sivayogam, Sam
Sriskanthayogasinga, Lakshigan

Stafford, Josanne Patricia
Stolyarchuk, Vladyslav
Sukdeo, Akhil
Sukdeo, Bhagmat
Tabassum, Saira
Tarki, Siraj/Ahmed
Taylor, Lennox Terrence
Tran, Hung
Umapathy, Uma Shangar
Vadiya, Yasin/Mahmadali
Verghese, Anusha
Walters-McNamee, Janice/Sophia
Wambugu, Jackson
Wamiya, Beryl/Ndunde
Wesam, Alashamri
Whittaker, Alphanso
Williamson, Ritenella
Wilson, Junior
Wilson, Kamesha