



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-080053-25

In the matter of: 27 Cardigan Street, Guelph, ON, N1H 7V6

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 Tenant Brianne Schinkel.

Preliminary Matters

Service of the Notice of Written Hearing Package

1. The Tenant residing in Unit 203 submits that they received their Notice of Written hearing late on December 6, 2025.
2. I note the Landlord's Certificate of Service, filed with the Board on Landlord was required to serve the Notice of Written Hearing on November 17, 2025, provides that the affected Tenants were served by regular mail on the same day.
3. Pursuant to Rule 3.9 of the Landlord and Tenant Board Rules of Procedure, a document is considered served the fifth day after mailing, which in this case would be November 22, 2025.
4. I note that the Tenant was able to make some submissions on the application on December 6, 2025, well before the December 24, 2025 deadline for Tenant submissions on the application. No further submissions were received from the Tenant. Notwithstanding that the Tenant may have received the Notice of Written Hearing package late, I am satisfied that any prejudice to the Tenant was minimal in this instance since they provided a submission to the Board on the same day and made no submissions thereafter.

Municipal Taxes and Charges

It is determined that:

5. 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).
6. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.58%. This increase is to be taken in the first year.
7. The first effective date of the rent increase above the guideline is January 1, 2026.
8. The Certificate of Service filed by the Landlord on November 17, 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: 110, 205 and 610.

The Landlord’s Sought Increase and Validity of a Notice of Rent Increase

9. The Tenant residing in Unit 203 submits that the Landlord did not include the above guideline increase sought through this application or any notices indicating the new rent amount.
10. As part of the Notice of Written Hearing package of documents served on the Tenant, there is a document entitled “How to Prepare for an Above Guideline Increase Hearing”. That document sets out the highest rent increase that could be ordered by the Board, which is also the amount of the increase reflected in this order.
11. The validity of the Notice of Rent Increase forms (N1 form) the Tenants received, or allegations of unlawful rent increases if no notice was received are not issues that the Board can consider under this application and are 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 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.

Financial Hardship

12. The Tenant residing in Unit 203 submits that the Board should consider financial hardship to Tenants caused as a result of any increase granted because some tenants are newcomers to Canada, single parent families, elderly on a fixed income, or otherwise financially vulnerable.
13. 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 above guideline increase when determining whether a landlord's above guideline increase application should be granted or denied.

It is ordered that:

1. The Landlord may increase the rents charged by 0.58% 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 13, 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:

102	307	509	712	1002
103	308	510	801	1003
104	309	511	802	1004
105	310	512	803	1005
106	311	601	804	1006
107	312	602	805	1007
108	401	603	806	1008
109	402	604	807	1009
111	403	605	808	1010
201	404	606	809	1011
202	405	607	810	1012
203	406	608	811	1101
204	407	609	812	1102
206	408	611	901	1103
207	409	612	902	1104
208	410	701	903	1105
209	411	702	904	1106
210	412	703	905	1107
211	501	704	906	1108
212	502	705	907	1109
301	503	706	908	1110
302	504	707	909	1111
303	505	708	910	1112
304	506	709	911	
305	507	710	912	
306	508	711	1001	

Schedule 2 - Tenants who are Affected by this Order:

Abdo, Kawa	Gebrehiwot, Mebrahtom	Norris, Kelly Lynn
Abraha, Sahele	Gellner, Barbara Jane	Novosad, Juan
Abrha, Major	Gibson, Paige	Nzenaguora, Uchenna
Al Eter, Fidaa	Gill, Rajeshwar	Oxley, Bryan
Allen, Robert Walter	Godden, Sean	Packer, Brent
Anderson, Christopher	Green, Nicholas	Pohl, Rebecca
Anderson, Tannis	Green, Tina	Power, Graham
Andrew, Barbara	Grzetic-Muffo, Rebecca	Power, Leigh
Archbell, Amber Denise	Habtu, Tekleab	Purdy, Diane J.
Ashick-Stinson, Chloe	Hawley, Dave	Qadihaja, Mohammed
Balkishun, Kumarnath	Hawli, Abir	Rafaie, Nabhan
Bergstrom, Kevin	Herrera Cortez,	Rahaman, Mizanur
Berube*, Kate	Fernando A.	Ramos, Francis
Boecker, Andreas	Hogue, Roger	Ridge, Andrew
Boparai, Manchit	Hoppe, Lyn	Ronda, Martin
Boyajian, Brodie	Ibrahim Faraj, Jamal	Rose, Jesse
Brown, Nicholas	Jaklic, Emily	Rudisuela, Phil
Burnie, Brandon	James, Stephen	Saravanan,
Burnie, Michael	Janecko, Nicol	Thiyagarajan
Campbell, Eleanor	Joaquin, Philip	Sarbast Ziber,
Campbell, Jennifer	Johnston, Trysten	Superintendent
Campeau, Margaret	Jordan, Jasmine	Schinkel, Brianne
Chaarani, Nabil	Kalra, Hannah	Schweitzer, Jesse
Chenier, Allison	Kanjimithani, Alishah	Scott, John
Closs, Jennifer	Kehl, Marilyn	Singleton, John
Coughey, Anne	Knowles, Siobhan	Skandary, Mustafa
Craig, Meredith	Lavin, Catherine	Skura, Deborah
Curtis, Bethany	Lima, Anthony	Spelman, Emma
Cutts, Stanley William	Liu, Xin	Springer, Kiyah
Cyr, Tanya	Luffman, Gary	Stephany, Gilles
Davey, Carolyn	Macdonald, Lois	Stephany, Katrina
Dietrich, Elizabeth	Macduff, Katherine	Stephany, Maude
Dipraseuth, Yee	Macnaughtan, Michael	Suvajac, Ema
Dron, Nancy	Magpali, Lolita	Taglietti, Angela
Duffield, Victoria M.	Magpali, Triumfo	Taylor, Georgia
Farah, Lisa	Maldaner, Carlos	Teklemichael, Tesfom
Fitzpatrick, Ian	Mcguinness, David	Teles, Jose
Forsythe, Aidan James	Mcnaught, Jennifer	Tenbroek, Dolf
Freeman, Thomas	Mejia, Miguel	Tesfai, Awet Kidane
Freeman, Tracy	Mercer, Philip	Tewelde, Akberet
Galanos, Loretta	Mills, David	Tewelde, Feven
Gale, Alan	Mohacsi, Jordan Scott	Tewelde, Nuguse
Garcia, Ariel	Morris, Natalie	Yohannes
Garcia, Cecilia	Norman, Austin	Thiboutot, Julien

Thielking, Daubney
Thomson-Diks, Kyle
Thorburn, Stefan
Tsegay, Henok
Tunks, Charles
Turgeon, Justin
Udume, Ann
Uniac, Patricia
Upfield, Alex
Van-Oosten, Michael
Van Velden, Nicolle
Vecchiarelli, Haley
Vien, Alexandre
Vienna, Annika
Whalen, Brian
Yabut, Elisha
Yehdego, Bereket
Zerezghi, Eyorusalem