



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-101048-25

In the matter of: 848 Kipps Lane, London, Ontario, N5Y 4S1
850 Kipps Lane, London, Ontario, N5Y 4S1
852 Kipps Lane, London, Ontario, N5Y 4S1

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 Landlord and Tenant Tyler Cornett.

Preliminary Matters

Late submissions

1. The deadline for Tenant submissions was January 23, 2026. The Tenant, Tyler Cornett, filed their submissions six days late on January 29, 2026. They submit that on seeking information from the Board, they felt that the process was not “transparent or safe” as they had hoped and this led to their hesitation and delay in making submissions. They submit that they contacted the Board seeking general information about:

“[...] how above-guideline increases are assessed, including how often they are denied and whether responding could expose me to unnecessary risk or retaliation. I was informed that, as an impartial body, the Board cannot provide this type of guidance.”

2. While the Board can provide general information about above guideline increases, I find that the Tenant’s submission supports that they were seeking legal counsel on the application and their concerns. While I can understand the Tenant wanted a response to their questions, I am satisfied that the response the

Tenant received was clear and transparent with respect to the limits of guidance offered by the Board, an impartial body. The Tenant was not prevented from seeking legal advice on this matter.

3. Notwithstanding that the Tenant's submissions were late, I have considered them in the hearing of this application.

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 0.36%. This increase is to be taken in the first year.
6. The first effective date of the rent increase above the guideline is March 1, 2026.

The Landlord's Right to Apply and Out of Scope Submissions

7. The Tenant, Tyler Cornett, made submissions on matters which, while I understand are important to the Tenant, are not matters which the Act permits me to consider on the hearing of this application. The issues raised by the Tenant which are not relevant to my findings here are as follows:
 - a. That the Landlord has or may have a strong financial position.
 - b. That the Landlord could or should absorb the downside of normal real estate investment risks and not shift costs onto long term Tenants.
8. 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 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

9. Tenant, Tyler Cornett, submits that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:

- a. A decline in building maintenance services including response times and consistent service.
 - b. Daily maintenance and overall condition of the building has deteriorated.
 - c. Snow removal and outdoor maintenance has declined.
 - d. Difficult system for reporting maintenance issues leading to delays in addressing maintenance issues and receiving support.
10. 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 Tenant, 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.

It is ordered that:

1. The Landlord may increase the rents charged by 0.36% 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 March 1, 2026, to February 28, 2027.
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 19, 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:**848 Kipps Lane, London, Ontario, N5Y 4S1**

101	204	306	408	602	704
102	205	307	501	603	705
103	206	308	502	604	706
104	207	401	503	605	707
105	208	402	504	606	708
106	301	403	505	607	
107	302	404	506	608	
201	303	405	507	701	
202	304	406	508	702	
203	305	407	601	703	

850 Kipps Lane, London, Ontario, N5Y 4S1

101	203	305	406	507	608
102	204	306	407	508	701
103	205	307	408	601	702
104	206	308	501	602	703
105	207	401	502	603	704
106	208	402	503	604	705
107	301	403	504	605	706
201	302	404	505	606	707
202	303	405	506	607	708

852 Kipps Lane, London, Ontario, N5Y 4S1

101	203	305	407	601	703
102	204	306	408	602	704
103	205	307	501	603	705
104	206	308	502	604	706
105	207	401	503	605	707
106	208	402	504	606	708
107	302	403	505	608	
201	303	405	506	701	
202	304	406	508	702	

Schedule 2 - Tenants who are Affected by this Order:

Acar, Pinar	Chacko, Ajax	Girard, Michele
Adesola, Aibana	Challa, Shashidhar	Graham, Dennis
Rukayat	Clements, Judy	Green, Barb
Ahmed, Ahmed	Cornett, Tyler	Green, Nancy
Aidel, Ayas	Cote, Claire	Hamdard, Sanam
Akworth, Todd	Cox, Jeff	Hamza, Bayan
Alain-Braine, Numfor-	Daher, Fawaz	Hanninen, Seth Lee
Foanyi	Daryani, Ashok	Hansen, Keith
Alfa, Uneku Blessing	Daryani, Reenu	Haourt, Isabella A
Allipeddy, Poojitha	De Campo, Paolo	Hilton, Carol
Arora, Komal	Deme, Zino	Howes, John
Arora, Puneet	Deng, Quing	Ishak, Zecki
Arseneau, Dryden	Devasia, Antony	Islam, Mohammed
Baxter	Devgan, Anchal	Jagdishbhai, Patel
Asaad, Maaen	Devgan, Bikram	Rikenkumar
Ashton, Rod	Dhrvv, Patel	John, Brandy
Assimakopoualos,	Dominguez, Arturo	John, Jeena
Antigone	Donian, Talar	John, Jinu
Babin, Joseph	Dow, Jakob	Johnson, Kevin Balford
Bailey, Michael	Drouin, Claudette	Jones, Reina
Bapir, Khawlah Sharaf	Duke, Edward A.	Joseph, Bright Arimboor
Barrett, Laura	Durrant, Pauline Ann	Cheerotha
Beal, Josephine	Edunjobi, Tolulope	Joseph, Mary Shini
Beamish, Jodie	Esther	Kollammaparambil
Beckford, Eula	Elford, Mark	Kanoun, Marwan
Beckford, Icent	Essery, Paul	Kaul, Nitin
Benchamin, Joby	Etouabeua, Arsene	Kaur, Sandeep
Beniamin, Wedad	Georges	Kelly, Adam J.
Bileychuk, Ivan	Fehrenbach, Dale	Kelly, Robert
Bobba, Sai/Harika	Figueiredo, Charles	Kelly, Sandra
Boldt, Melissa	Flynn, Edward	Kershaw, Patrick
Bond, Emily	Ford, Mariah	Khalaf, Rhan
Bowen, Sarah	Fortner, Carol	Khawaja, Ghada
Bowen, Theresa	Fortner, Nancy	Khawaja, Ghossoun
Boyd, Lori	Fry, Eric	Khero, Georg
Brooker, Julie	Fulford, Craig	King, Adele
Brown, Caleb	Gardiner, Ross John	Koirala, Jyoti
Brown, Joel	Gardiner, Verna Dorthy	Krishnakumari, Vidhu
Brown, Stephanie	Gebrab,	Krishnan Vijayakumaran
Burnie, Maxx	Afrim/Habtemariam	Leach, Amberley Howie
Caceres, Daniel	Gillingham, Nicolaas	Leblanc, Denis
Eduardo Quintana	Gioiosa, Tony	Lee, Allisha

Lonappan, Linsy
Lord, Anne
Lutchmiah, Arvish
Lutkovskyi, Pavlo
Macdonnell, Blair
Mackie, George
Maharjan, Nagina
Margrett, William
Marontate, Lisa
Masabo, Maurice
Mboko, Jacqueline
Mccandless, Martha
Mcclay, Michelle
Mccomb, Jason
Mccutcheon, Jeannette
Mcleish, Ian
Mclellan, Tanya Marie
Mcleod, Donald Lyle
Meadows, Pamela Jane
Mickya, Stella
Mikhaiel, Basel
Milne, Clarence
Mohammadi, Shokrieh
Mokkapati, Ravali
Chowdary
Moore, Patricia
Mukarugila, Angelique
Naamat, Nora
Newby, Mary
Nguyen, Ba
Noblie, Derick
Nour, El Shamy
Nuguse, Salamawit
Nwaozuzu, Cynthia
O'hara, Robert

O'hara, Shirley
Patel, Anjali
Patel, Rahul
Patterson-Van-Pelt,
Autumn M
Pawar, Virendra Hiralal
Pengelly, Kayla
Pereira, Pranoy
Pickering, Josh
Pigeau, Alfred
Plouffe, Cary
Moellenkamp
Pont, Andy
Purba, Ramneek Kaur
Quillman, Stan
Rafehi, Abdul Rahman
Ragobar, David
Rahman, Chowdhury
Ramdoo, Vidhushi
Randall, Heather
Rasaily, Bal Bahadur
Rasaily, Nandi Keshor
Rasaily, Som Nath
Reeder, Michael
Ringland, Paul
Roberts, Nicole
Rodrigues, Scarlet
Rodriguez, Brenda
Sada, Shamsa
Salmon, Morley Dax
Samaramanna, Prabath
Santana, Carlos
Saraj, Jawad
Savani, Reema
Seabrook, Don Kenneth

Sheldon, William
Sheppard, Darlene K
Sifton, Sandra Lynn
Simpson, Donald
Singh, Ajeet
Singh, Prabhjot
Smith, Chris
Stephen, Emmanuel
Weynom
Stroud, Michelle
Sundas, Dhiraj
Sundash, Mina
Terczynski, Carol
Tesfay, Fesseha
Toupin, Emily
Toupin, Michelle
Trehan, Sonali
Tsegay, Selam Haji
Urquhart, Duncan
James
Valad, Margaret
Vanderhoeven, Susan
Vanga, Sai Kiran Reddy
Varghese, Athira
Veremiuk, Vladyslav
Villamor, Leo
Walsh, Michael
White, Ann (Rm)
White, David (Rm)
White, Laurisa Ann
Whitman, Jason
Wilcox, Vicki
Xing, Cheng
Yu, Yue
Zolorycki, Heidi