



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-075719-24

In the matter of: 288 Mount Albion Rd, Hamilton, Ontario, L8K5T1

Between: Anthony Desantis JR Landlord
A. Desantis Holdings Ltd

And

Refer to attached Schedule 2 Tenants

Anthony Desantis JR and A. Desantis Holdings 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 20, 2026.

The following parties attended the hearing: The Landlord's representative, Lisa Barder, the Landlord, Anthony Desantis Jr and the Tenants for units 707, 207, 311, 402, and 403.

The Certificate of Service filed by the Landlord on December 18, 2025, indicates that some rental units and Tenants 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 and Tenants. 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 and Tenants: 102, 109, 110, 205, 210, Ron Kingsbury of 302, Zdravko Soco of 309, Lynda Van Hiel of 311, 502, 511, 607, Leonard Clark of 701, Gary Henderson of 711, 803, Anthony Barry of 804, 808, Marilyn Sudol of 810, 1001, 1005, 1101, 1106, 1107, Harry Gibson of 1201, 1204, and Grace Maynard of 1211.

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

Agreed Facts:

1. The Landlord agrees that the plumbing work that is to be completed in February 2026 related to water line replacement will not be subject to a future application.

Claim for Capital Expenditures:

1. The maximum rent increase above the guideline because of capital expenditures is 6.81%. This increase is for the following capital expenditures:
 - a. Concrete balcony slabs and repairs; and
 - b. Remove and replace concrete ramp and walkway to rear parking.
2. The maximum increase above the guideline is 6.81%, as claimed in the Landlord's application. This increase is to be taken as follows: 3.00% in the first year; 3.00% in the second year; and 0.81% in the third year.
3. The weighted useful life for the capital expenditures is 11 years.
4. The first effective date of the rent increase above the guideline is January 1, 2025.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 6.81% 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 3.00% within the time period of January 1, 2025 to December 31, 2025 and
 - b. The Landlord may increase the rents charged by 3.00% within the time period of January 1, 2026 to December 31, 2026 and
 - c. The Landlord may increase the rents charged by 0.81% within the time period of January 1, 2027 to December 31, 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 90 days of the date of this order.

March 19, 2026
Date Issued

Ryan Gacnik

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 2025 is 2.5% and for 2026 is 2.1%.

Schedule 1 - Units affected by this Order:

103	504	902
104	506	903
105	507	904
106	508	905
107	509	906
108	510	907
202	601	908
203	602	909
204	603	910
206	604	911
207	605	1002
208	606	1003
209	608	1006
211	609	1007
301	610	1008
302	611	1009
303	701	1010
305	702	1011
306	703	1102
307	704	1103
308	705	1104
309	706	1105
310	707	1108
311	708	1109
401	709	1110
402	710	1111
403	711	1201
404	802	1203
405	804	1205
406	805	1206
407	807	1207
408	809	1208
409	810	1209
410	811	1210
501	901	1211

Schedule 2 - Tenants who are Affected by this Order:

ALAIMO, CHARLES
ALAIMO, ELEANOR
ALSHAKERGI, KHALID
ASHFORD, STEVE
BABIC, MARIA
BARRY, SELMA
BARTKUS, DIANA
BERRY, JOHN
BORBATH, MIKE
BORGES, MARIA
CAMERON, ROD
CHEESMAN, ELIZABETH
CHERRIERE, JOHN
CLARK, RAY
CLEMENT, ALINE
CONWAY, SHARON
COOMBER, KEVIN
CRAWFORD, DAVID
CROUCHER, DONNA
CWKLINSKI, JOZEF
CWKLINSKI, JUDY
DALGLEISH, JEAN
DAVEY, CORRINNE
DAWSON, SANDRA
DHILLON-SANDHU, DALJEET
DICKINS, BRENDA
DICKINS, RICK
DIETRICH, IRENE
DONNELLY, BRAIN
DOYLE, DEBORAH
DUNDA, BRIAN
DUNDA, KATHY
ELLIOTT, ALLAN
FARRAWAY, JIM
FARRAWAY, SHERRY
FIELD, BERNADETTE
FRANKOVICH, LINDA
GENTLE, GAYLE
GIBSON, ANNE
GOSSELIN, NOLA
GRAMADA, MIKE
GRANATIER, DON
GRASSI, ROBERTA
GRIFFIN, LINDA

HALEY, CLAIRE
HALEY, LEONARD
HARTMAN, JEAN
HATCHER, BETTY
HATCHER, ROBERT
HENDERSON, ANN
HILSON, GREGORY
IKASALA, MARK
INTINE, MARY
JACOBS, KENNETH
KELLY, MARCELINA
KELLY, WILLIAM
KINGSBURY, GLORIA
LEVESQUE, JAY
LEWIS, SUSAN
LLEWELLYN, BRENDA
LOCKHART, MARILYN
LOUGHLIN, BARBARA
LOVE, JAMES
MAMELA, JEFFREY
MARSHALL, ADRIANA
MARSHALL, ROBERT
MARTIN, LINDA
MASNEY, RHONDA
MATTINA, CHARLEEN
MAZUR, ELIZABETH
MCALONEY, DOREEN
MCCOMB, CARROL
MCCOMB, JOHN
MEDEIROS, MARIA
MIGHTICS, ANN
MITCHELL, LELAND
MORRISON, PETER
MURRAY, WILLIAM
NEWPORT, ROBERT
NIZIOL, WANDA
PAPP, DEBORAH
PHELPS, TRACY
PHILLIPS, MARGARET
POZZA, MAURICE
REEVES, MARGARET
RICHARD, HENRY
RICHARD, JEAN
RIDGERS, FRED

ROBERTS, MARLENE
ROENTGEN, MONICA
ROENTGEN, PAUL
ROKETTA, TRACY
RYAN, PATRICIA
SALIS, ROCCO
SELKIRK, BRENDA
SELKIRK, RUSSELL
SIMPSON, DEBORAH
SOCO, RATOMIRKA
SOGAN, ISOBEL
SRANFL, WILLIAM
SUDOL, RICHARD
SUTHERLAND, MATTHEW
SZYDLOWSKA, ALICIJA
THOMBS, CRAIG
THOMBS, TRACY
THOMPSON, JAMES

THOMPSON, KAREN
THOMPSON, LOIS
TOLTL, EVA
URQUHART, LINDA
URQUHART, RICHARD
VAN HIEL, OTTO
WAKAL, WAYNE
WALES, APRIL
WALES, DAVID
WALMSLEY, SUSAN
WARNKE, KRTISTA
WARWICK, DOUGLAS
White, Victoria
WHITEHORN, CAROL
WINDSOR, CHRIS
WOLF, GERDA
ZLOCH, ILONA

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 2025 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 2025 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 12 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.