



**Order under Section 126
Residential Tenancies Act, 2006**

File Number: LTB-L-088888-25

In the matter of: 695 Surrey Lane, Burlington, ON, L7T 3Z3

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 Landlord and the Tenant; Steve Favaro. The Landlord replied to the Tenant.

It is determined that:

Municipal Taxes and Charges

1. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the 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).
2. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.54%. This increase is to be taken in the first year.
3. The Board received a submission from the Tenant, Steve Favaro. The Tenant submits, with documentary evidence, that they had applied to the Board for an order determining that the Landlord substantially interfered with their reasonable enjoyment because they had not addressed the issue of smoking from a neighbouring unit impacting on their health, being severely allergic to nicotine. They submit that the individual(s) in the neighbouring unit have been smoking cigarettes in their apartment since January 2022, causing the Tenant “serious, potentially life-threatening health effects”. The Tenant submits that their

application was resolved by way of a Consent Order which deals with, among other things, the Landlord being required to address any air flow and air quality issues in the Tenant's unit. The Tenant submits that the Landlord is in breach of the Consent Order since they have not hired an HVAC company to address the issue. They submit that this amounts to a serious breach of health and safety standards and interferes with their reasonable enjoyment of their home. The Tenant also tendered audio evidence of their conversations with an individual, presumably employed by the Landlord, where they raise their concerns about smoke from the neighbouring unit. They argue that for these reasons, the Landlord should not be permitted a rent increase above the guideline. The Tenant also submits that the Landlord has failed in their duty to accommodate.

4. The Tenant's submission that the Landlord failed to accommodate is irrelevant to this proceeding and therefore I declined to consider that submission.
5. While I can understand while why these issues are important to the Tenant, matters concerning interference with reasonable enjoyment of a rental unit are not matters which the Act permits me to consider in this application.
6. Subsection 126(12) of the Act refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issue raised by the representative for the Tenant, even if it remained outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligations. A disrepair problem that is not "serious" as that term is used under the Act is not relevant to these proceedings. However, the Tenant is entitled to file their own application at the Board in respect of these issues.
7. The first effective date of the rent increase above the guideline is February 1, 2026.

It is ordered that:

1. The Landlord may increase the rents charged by 0.54% 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 February 1, 2026, to January 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 60 days of the date of this order.

April 2, 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 Landlords 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 Landlords have given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlords have given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlords 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:

695 Surrey Lane, Burlington, ON, L7T 3Z3

101	307	507	707	908	1108	1408	1608
102	308	508	708	1001	1201	1501	1701
201	401	601	801	1002	1202	1502	1702
202	402	602	802	1003	1203	1503	1703
203	403	603	803	1004	1204	1504	1704
204	404	604	804	1005	1205	1505	1705
205	405	605	805	1006	1206	1506	1706
206	406	606	806	1007	1207	1507	1707
207	407	607	807	1008	1208	1508	1708
208	408	608	808	1101	1401	1601	
301	501	701	901	1102	1402	1602	
302	502	702	902	1103	1403	1603	
303	503	703	904	1104	1404	1604	
304	504	704	905	1105	1405	1605	
305	505	705	906	1106	1406	1606	
306	506	706	907	1107	1407	1607	

Schedule 2 - Tenants who are Affected by this Order:

Adams, Rayane	Dalley, Michelle
Adeogun, Taiwo	Daniel, Jason
Albers, Russell	Danylashchuk, Mykola
Alhalabi, Fatinah	Dela Cruz, Jackie Lou
Alhassan, Marwam	Dela Cruz, Richard
Alkhazali, Ahmad	Delgado, Scarlett
Al-Khoriibrahim, Kristina	Devoy, Collen
Al Tomina, Martin	Din, Lydia
Alton, Wayne	Dixon, Brenda
Alzedin, Hassan	Doucette, Matthew
Alzohery, Ashrof	Drywood, Josh
Amanuel, Nanssy	Dubon Molina, Marcos
Asomaning, Gifty	Duff, Michelle
Atifi, Massud	Euteneier, Lynda
Austen, David	Favaro, Steve
Austen, Lois	Frappier, Matthew
Awoyinka, Oluwatoyin	Gagnon, Isabelle
Azizi, Paimana	Galimah, Jeremiah
Baig, Mirza Hasan	Garavito, Hernando
Baker, Joseph	Gardner, Brent
Ban, Weiyang	Gill, Devendra Singh
Barrick, Angela	Guerrero, Alberto
Bashak, Shyamal	Hager, John
Bautista, Sedfrey	Halton Housing Authority, .
Beattie, Amanda	Halton Housing Authority, .
Bellardini, David	Halton Housing Authority, .
Bene, Blanca	Halton Housing Authority, .
Burns, Aleya	Halton Housing Authority, .
Capatina, Adrian	Halton Housing Authority, .
Carter, Simon	Halton Housing Authority, .
Castillo, Marina	Halton Housing Authority, .
Chavez Paz, Ana	Halton Housing Authority, .
Chirico, Angela	Halton Housing Authority, .
Christiansen, Sydney	Haneef Mohamed Asif, Akif Adnan
Chughtai, Muhammad Abbas	Henderson, John
Cinapri, Alexandria	Ishaq, Rami
Clarke, Courtney	Jalbout, Suheil
Coates, Bradley	Jan, Mohammad
Cochrane, Julia-May	Jaramillo Merz, Erika
Colombe, Janice	Jennings, Paul
Cortez Faria, Vanessa	Katarama, Georginy
Crooks, George	Kaur, Gurdeep
Dalal, Binalben	Kaushal, Honey
Dalal, Morli	Kemp, Leanne

Kentsine, Serikjan
Kordowska, Joanna
Levack, Shawn
Lopez Sanchez, Luis
Lovell, Brent
Lyrette, Kristen
Mackay, Miranda
Maj, Ilona
Manea, Vlad Ionel
Marar, Kanwarpal
Marshal, David
May Henry, Keysha
Mccarthy, Jaydon
Mccarthy, Katherine
Mcgrillen, Sean
Mckie, Chantel
Mclaren, Rochelle
Mendez, Johana
Mina, Lerry
Moroz, Vladimir
Motton, Wayne
Mourtada, Ali
Muir, Elizabeth
Nachiu, Anca
Niskanen, Katherine Agawa
Norman, Anne
Obranovich, Richard
Offer, Douglas
Offer, Mark
Oster, Kimberly
Oti, Joseph
Pal, Shiu

Pascua, Charlotte
Patel, Darshan
Patel, Jay
Patel, Jeel
Patel, Nitinkumar
Penderell, Kristen
Peplinski, Ryan
Pierini, Giulio
Ramharack, Christiana
Ramonas, Damien
Raza, Wasif
Rehman, Saifur
Rey Echeverry, Dayra
Rivera, Ezra Jireh
Sadiq, Rabia
Sagl, Elise
Saleem, Husna Fathima
Santos Lino, Isaias
Shannon, Donna
Siddiqi, Nafisa
Simbulan, Cecillia
Soliman, Abdelrahman
Stinson, Katrina
Thompson, Paul
Trifonov, Angel
Verkaik, Patricia
Vezina, Christopher
Wakley, Richard
Washington, Chavan
Westenberg, Kaitlyn Alicia
Wylie, Catherine
Zaverukha, Mariia