



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-069166-24

In the matter of: 47 Marion Street, Toronto, Ontario, M6R 1E6

Between: Cecile Hustin President Landlord
2209193 Ontario Inc

And

Refer to attached Schedule 2 Tenants

Cecile Hustin President and 2209193 Ontario Inc (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 14, 2026.

The following parties attended the hearing: Landlord – President Cecile Hustin, and one Tenant.

The Certificate of Service filed by the Landlord on January 14, 2026, 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: 102 and 301.

This matter was determined on consent of the parties. Although not specifically agreed to by the parties in the course of their settlement negotiations, for the purpose of generating the calculations in support of the consent reached, the Landlord's two capital expenditures, flat roof replacement and act of uninstalling and re-installation of the 6 condensers, including the re-wiring were combined.

The Board acknowledges that the settlement reached was based on the combination of the capital expenditures. This decision reflects the combination of the capital expenditures. And for the purpose of future applications, the Landlord cannot reapply for the act of uninstalling and re-installation of the 6 condensers.

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

1. The maximum rent increase above the guideline because of capital expenditure is 2.17%. This increase is for the following capital expenditures:
 - a. Flat Roof Replacement (uninstall 6 condenser and reinstall all of them back on with wiring).
2. The increase above the guideline is 2.17%, as claimed in the Landlord's application. This increase is to be taken in the first year.
3. The weighted useful life for the capital expenditures is 20 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 2.17% 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 2.17% within the time period of January 1, 2025, to December 31, 2025.
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 30 days of the date of this order.

April 2, 2026

Date Issued

Helen Giannini

Helen Giannini

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.

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%.

Schedule 1 - Units affected by this Order:

101
103
201
202
203
302
303

Schedule 2 - Tenants who are Affected by this Order:

Blackburne, Brooke
Burns, Tammy
Gyulay, Paul
Hutt, Laura
Kope, Adam
Kuch, Emily
Mc Webb, Benjamin
Pausinger, Tim

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 the period 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 the period 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 10 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.