



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

File Number: LTB-L-098198-25

In the matter of: 1360, 1420 and 1422 Tyandaga Park Drive,
Burlington, Ontario, L7P 1N3

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 the Tenant, Barbara Watson. 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. I have accepted the Landlord's amended application filed with the Board on November 28, 2025.
3. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.43%. This increase is to be taken in the first year.
4. The first effective date of the rent increase above the guideline is March 1, 2026.

Landlord's Right to Apply and Out of Scope Submissions

1. The Tenant, Barbara Watson, made submissions about the housing shortage and rents in the GTHA. These are not matters which I am permitted to consider on an application for a rent increase above the guideline due to an extraordinary increase in municipal taxes.
2. The Tenant further submits that the lease terms are a legal and binding contract and that there should be more explanation than that the Landlord is seeking an above guideline increase due to an extraordinary increase in municipal taxes and charges.
3. I am satisfied that the Landlord, filed with the Board, their final tax statements for base and reference years and proof of payment in support of their application, as required.
4. 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.

Financial Hardship

1. The Tenant, Barbara Watson, submits that the Board should consider financial hardship on them due to a number of reasons including that they are on a fixed income. to Tenants caused as a result of any increase granted.
5. 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.
6. Pursuant to subsection 205(2) of the Act, given that this order will issue more than three months after the first effective date of the above guideline rent increase herein, I am permitting the Tenant, Barbara Watson, residing in Unit 2009, to pay any amounts owing to the date of the order in 5 monthly installments starting 30 days from the issuance date of this Order.

It is ordered that:

1. The Landlord may increase the rents charged by 0.43% 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 shall pay to the Tenants any sum of money that is owed as a result of this order within 60 days of the date of this order.
5. The Tenant residing in Unit 2009 shall pay any amount owing to the Landlord as a result of this order in 5 monthly installments, beginning 30 days from the issuance date of this Order.
6. For all other Tenants, they shall pay to the Landlord any sum of money that is owed as a result of this order within 60 days of the date of this order.

April 7, 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:

1360 Tyandaga Park Drive, Burlington, Ontario, L7P 1N3

1360	1368	1376	1384	1392	1400	1410	1418
1362	1370	1378	1386	1394	1402	1412	
1364	1372	1380	1388	1396	1404	1414	
1366	1374	1382	1390	1398	1408	1416	

1420 Tyandaga Park Drive, Burlington, Ontario, L7P 1N3

2001	2004	2007	2011	2014	2018	201A
2002	2005	2009	2012	2015	2019	201B
2003	2006	2010	2013	2017	2020	

1422 Tyandaga Park Drive, Burlington, Ontario, L7P 1N3

2201	2205	2209	2214	2218	2222	2226	212A
2202	2206	2210	2215	2219	2223	2227	221A
2203	2207	2211	2216	2220	2224	2228	221B
2204	2208	2212	2217	2221	2225	2229	

Schedule 2 - Tenants who are Affected by this Order:

Anderson, Valerie	Gardiner, Bradley	Porter, Brittany
Ankomah, William	Gordine, Kane	Putman, Erica
Araya, Guillermo	Gowthorpe, Matthew	Quaresma, George
Artis, John	Guo, Degang	Radski, Gwen
Awan, Safia	Heizler, Kristen	Ray, Dibita
Bartlett, Theresa	Hollingshead, Jeffrey	Ready, Barry
Beaulieu, Bradley	Keaveney, Erika	Ready, Joanne
Benhelli, Lotfi	Kendall, Noel	Riverin, Matthew
Bertoli, Dayna	Khamroo, Rawa	Roantree, Mark
Blackmore, Jessica	King, Barbara Jill	Roberts, Margaret
Bolton, Brenda	King, William	Robertson, David
Bolton, James	Kreppner, Dylan	Robinow, Linda
Brown, Christopher	Leclercq, Christian	Rodriguez, Ana Aurora
Butron, Rolando Martinez	Leclercq, Lindsay	Moreno
Calles, Freja	Losacco, Nickolas	Samdrup, Jamba
Calles, Gerard	Macinnis, Marilyn	Semak, Karen
Clark, James	Madrugá, Cheryl Gonzalez	Shefa, Shahir
Clark, Jonathan	Madrugá, Raul Gonzalez	Smollet, Alana
Cooper, Derek	Marin, Esteban	Sontag, Jennifer
Courtney, David	Mayorga, Camila	Stevenson, Katie
Courtney, Lisa	Mcgeagh, Aisling	Stevenson, Lee
Crans, Jordan	Mcghie, John	Stewart, Brendan
Crayford, Autumn	Mcintosh, Clifford	Subba, Kanchan
Cumming, Patricia	Mclean, Colin	Sullivan, Jonathan
Cumming, Tonya	Mcpartlin, Mary	Swallow, Robert Bryan
Desaulniers, Angeli	Mcpartlin, Michael	Vair, Bernice
Di Ciccio, Andrew	Mendoza, Maria Yamile	Vair, Catherine
Dilks, Matthew	Acosta	Vancour, Kristopher
Dolkar, Dechen	Miller, Candace	Veenstra, Victoria
Dorji, Chimi	Mitenko, Darlene	Velayudhan, Ram Mohan
Doucette, Jenelle	Mizzi, Laura Mae	Videka, Elizabeth
Dowhan, Marlene	Montgomery, Owen	Wang, Ban
Dziuba, Peter	Morrison, Matthew	Wangchuk, Pempa
Feenstra, Clarence	Norbu, Norbu	Watson, Barbara
Feenstra, Riemke	Nyholt, Justin	Williams, Jamie
Fischer, Brandon	Olivera, Yoasnin Isat	Wilson, Ian
Fletcher, Carolyn	Osorio, Dorothy	Wilson, Riley
Fletcher, Madison	Padmavathy, Mini Anachal	Woods, Zachery
Fletcher, Marisa Elizabeth	Pajerski, Marek	Woodyatt, Carrie
Fontaine, Marleen	Palden, Deki	Wylie, Scott William
Fraser, Austin	Pelden, Dechen	Zabron, Patrick
Garcia, Roman James	Phillips, Mallory	Zvereva, Natalya