Order under Section 126
Residential Tenancies Act, 2006

File Number: LTB-L-090862-24

In the matter of: 34 Walmer Road, Toronto, Ontario, M5R 2W6

Between: Walmer Place — Landlord

And

Refer to attached Schedule 2 — Tenants

Walmer Place (the 'Landlord') applied to the Landlord and Tenant Board (LTB) 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 February 2, 2026

The following parties attended the hearing: Landlord's Representative Allistair Trent, the Landlord Glen Hefner and the tenants from the following units were either present or represented: 101, 201, 202, 204, 206, 403, 601, 603, 605, 703, 806, 805, 905,1004, and 1006.

The Certificate of Service filed by the Landlord on December 31, 2025, 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, 203, 205, 301, 307, 407, 502, 506, 507, 705, 706, and 803.

As per the Landlord's certificate of service, a number of individual Tenants were not served with the Notice of Hearing and have been removed as parties to the application.

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

1. The maximum rent increase above the guideline because of capital expenditures is 3.50%. This increase is for the following capital expenditures:
    a) Repair and waterproof garage roof slab on south side of the building**.**

2. The Landlord's evidence justifies a rent increase above the guideline of 4.05%, because of capital expenditures. However, pursuant to subsection 126(11) of the

Act, the maximum permitted rent increase above the guideline because of capital expenditures in any year is 3.00%. As a result, the rent increase justified in this Application may be taken as follows: 3.00% in the first year, 0.50% in the second year. These increases are in addition to the annual guideline rent increase.

3. The weighted useful life for the capital expenditures is 10 years.

4. The first effective date of the rent increase above the guideline is February 1, 2025.

5. The Landlord or Tenants shall reconcile accounts within 120 days of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 3.50% 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 February 1, 2025 to January 31, 2026; and
    b. The Landlord may increase the rents charged by 0.50% 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 120 days of the date of this order.

April 9, 2026
Date Issued

Monique Browne
Hearings 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 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 2023 is 2.50%, for 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

34 Walmer Road, Toronto, Ontario, M5R 2W6

101
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1002
1003
1004
1006

Schedule 2 - Tenants who are Affected by this Order:

Anderson, Amy K.
Bohme, Jennifer Elizabeth
Burton, Patricia
Cheng, Hao
Fransoo, Evelyn
Garrett, Mollie
Gilbert, Erika J.
Gill, Leroy
Gill, Mary
Holmes, Lisa M.
Hunter, Wendy
Jagu, Marie-Aline A.
Jamal, Yasmin
Johnson, Michael Alexander
Koster, Jane
Kraync, Kaylan K.M.
Leckie, Catherine
Lee, Eun Hye
Lee, Hye Kyong
Light, David
Liras, Nick
Lunan, Lisa
Makinde, Folashade Kristyna
Malonwich, Shelley Arlene
Motum, Robert C.
Non-Profit Homes, Good Sheppard
Parsons, Zachary Phillip
Rutt, Sam Aaron
Scheck, Paulina
Sibony, Sharon Erica
Starovoit, Kateryna
Steiner, Tahiya
Tavakoli-Afjedi, Neda
Treister, Edward Sheldon
Whiteway, James
Wilson, Anna
Yi, Selwin Lingyun

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 this 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 this 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.