# Order under Section 126
# Residential Tenancies Act, 2006

**File Number:** LTB-L-000100-24

**In the matter of:** 815 Kennedy Road, Scarborough, Ontario, M1K 2E3

**Between:** Monterey Park Inc. Landlord

**And**

Refer to attached Schedule 2 Tenants

Monterey Park 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 February 10, 2026.

The following Landlord parties attended the hearing: Paul Capa, Landlord's legal representative and Landlord's agents, Natalie Davis, Daniel Holland, Morris Rozen and Landlord's legal support, Keil Baker.

The following Tenant parties attended the hearing: Shermaine Jobe, Nizar Yusuf , brahim, Evelyn Zaldivar, Gabriela Tatad, Leah Dominique Ygona Vincoy, Arlene Dominique UY, Katherine Bujold, Alison Johnson, Maria Carolina Henriquez Villanueva, Melissa Agar, Christopher Miller and Glenn Miller.

The Certificate of Service served 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, 301, 305, 407 and 408.

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

1. The maximum rent increase above the guideline because of capital expenditures is 8.50%. This increase is for the following capital expenditures:
    a. Structural column repair; and
    b. Common area flooring and painting.

2. Where the Landlord's application requests an increase of 9.59%, the maximum

increase above the guideline for these units is 8.50%. This increase is to be taken as follows: 3.00% in the first year; and 3.00% in the second year; and 2.50% in the third year.

3. The weighted useful life for the capital expenditures is 19 years.

4. The first effective date of the rent increase above the guideline is April 1, 2024.

5. The Landlord agrees to absorb the cost of the balcony and railing project completed in 2024.

**On consent of the parties, it is ordered that:**

1. The Landlord may increase the rents charged by 8.50% 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 April 1, 2024, to March 31, 2025; and
    b. The Landlord may increase the rents charged by 3.00% within the time period of April 1, 2025, to March 31, 2026; and
    c. The Landlord may increase the rents charged by 2.50% within the time period of April 1, 2026, to March 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 180 days of the date of this order.

**April 10, 2026**
**Date Issued**

Sonja Hudson
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:**

815 Kennedy Road, Scarborough, Ontario, M1K 2E3

101
103
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202
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401
402
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404
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406
409
B1
B2
B3

**Schedule 2 - Tenants who are Affected by this Order:**

Agar, Melissa
Agar, Terrel
Ando, Duke Carlo
Ando, Socrates
Apolinar, Ligaya
Arzaga, Veronica
Baker, Trevor
Balasingam, Nadesan
Belsa, Lauden Renzi
Bolongaita, Lord Albert Dick
Brewsky, Jeff
Bujold, Katherine
DeOcampo, Evangeline
Ducot, Aldrin
Ducot, Lucena
Gamiao, Nora
Gordo, Ryan Jay
Guzman, Eduardo
Henriquez, Maria Elizabeth
Henriquez Villanueva, Maria Carolina
Ibrahim, Nizar Yusuf
Jobe, Shermaine
Johnson, Alison
Luczon, Perseveranda (Percy)
Maddela, Percival
Maddela, Ruelda
Miller, Diane
Miller, Glenn
Najafpour, Ali
Regua, Reynaldo
Regua, Ryan Zyrus
Roy, Marie
Tatad, Gabriela
Toban, Rowan
UY, Arlene Dominique
Vallejo-Bayaua, Ailyn
Vincoy, Matthew
Yabut, May
Ygona Vincoy, Leah Dominique
Zaldivar, Evelyn

**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 2024 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 2024 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.