Order under Section 126
Residential Tenancies Act, 2006

File Number: LTB-L-090391-23

In the matter of: 700 Kingston Road, Toronto, Ontario, M4E 1R4

Between: Merkur Properties C/O Greenwin Inc. Landlord

And

Refer to attached Schedule 2 Tenants

Merkur Properties c/o Greenwin Inc. (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 January 28, 2026

The following parties attended the hearing: Landlord representatives Kiel Baker and Paul Cappa, the Landlord's Agents David Mohamed and Duncan Curtis, and Tenants who represented themselves were in attendance

The Certificate of Service filed by the Landlord on December 29, 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: 101, 201, 305, 404, 501, 503, 504, 700, and 704.

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

1. The maximum rent increase above the guideline because of capital expenditures is 2.25%. This increase is for the following capital expenditures:
   a. Riser Replacement
   b. Fire System Repairs
   c. Laundry Ventilation

2. Where the Landlord's application requests an increase of 2.30% the maximum increase above the guideline for these units is 2.25%. This increase is to be taken in the first year.

3. The weighted useful life for the capital expenditures is 23 years.

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

5. The Landlord or Tenants shall reconcile accounts within 160 days of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 2.25% 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 2.25% within the time period of February 1, 2024 to January 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 160 days of the date of this order.

April 15, 2026
Date Issued

Dillanique Knight
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 4 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:

700 Kingston Road, Toronto, Ontario, M4E 1R4

100
102
202
203
204
205
300
301
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304
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405
502
505
601
602
603
604
701
702
703

Schedule 2 - Tenants who are Affected by this Order:

Aberra, Thewodros
Abobo, Maria Daisylyn
Agirbas, Nurettin Serdar
Ayala, William Jose Pena
Borer, Isobelle Lorene Thayer
Castanos, Catherine Veronica
Chauhan, Krunal
Creswick, Tobias
Daniher, Derek
Desjardins, Gregory
Desouza, Elizabeth
Do, Duc Hien Michael
Fanfair, Robinne
Grace, Bryan
Grace, Robert
Hillman, Glenn
Holt, Amanda Carol
Hughes, Sasha Elizabeth
Kerr, Thomasbrian
Maccormick, William
Perna, Michelle
Phillips, Joseph
Saka, Irem Naz
Smith, Brynn Amber
Smith, Stephen Douglas
Sutherland, Samantha
Tzogas, Christina
Whytejones, Simone

Schedule 4 - 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.