



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-090810-24

In the matter of: 130 Lincoln Road
Waterloo, Ontario N2J 4N3

140 Lincoln Road
Waterloo, Ontario, N2J 4N4

Between: Park Property Management Inc. Landlord

And

Refer to attached Schedule 2 Tenants

Park Property Management 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.

This application was resolved by written hearing. The Board received submissions from the Landlord and the Tenants:

Kimberley Young, Kathy Mackechnie, Katie Simpson, Missy Hammer, Alex Bauman, Tom Kefalas, Marlee Majkut, Donna Watkinson, Terry Sherlock, Kayleigh Moser, Kathy Martin, Anita Pike, John Hatherley, John Pereira, Hollie Mennie, Nicole Cooke, Stephanie Brubaker, Carol, Elaine Coombs, Ashley Coombs, Craig Yantz, Scott Williams, Deb Foster, Anthony, Josh Purves, Ahmed Virk, Dave and Raquel Trump, Mike and Elsie Howey, Rodney Martin, Aline Rocha, Deb Henry, Deb Widdes, Jonas Lafave, Susan Parsons, Gayathri Rajmanohar, Hamid Dalian, Nelson Franco, and Marleen Beaulieu.

Municipal Taxes and Charges

It is determined that:

1. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the cost for 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. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.49%. This increase is to be taken in the first year.
3. The first effective date of the rent increase above the guideline is March 1, 2025.
4. The Certificate of Service filed by the Landlord on August 6, 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:

130 Lincoln Road, Waterloo, Ontario, N2J 4N3:

105, 106, 108, 204, 205, 209, 211, 212, 304, 307, 311, 312, 405, 410, 411, 502, 504, 510, 511, 601, 606, 608, 609, 610, 611, 612, 701, 706, 707, 712, 801, 804, 807, 808, 811, 812, 906, 1004, 1006, 1011, and 1012

140 Lincoln Road, Waterloo, Ontario, N2J 4N4:

104, 109, 111, 211, 303, 305, 311, 312, 403, 410, 412, 601, 701, 708, 710, 712, 801, 803, 806, 809 and 908

Maintenance

5. The Tenants filed a group submission raising that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. Frequent water shut offs.
 - b. A leaking garage despite repairs in 2018.
 - c. Unkept grounds.
 - d. Tenants spent a year and a half without a proper garbage area – attracting pests, unauthorized individuals, litter inside and outside the complex, and takes longer to be addressed.
6. Subsection 126(12) of the *Act* refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issues raised by the Tenants, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligations. A disrepair problem that is not "serious" as that term is used under the *Act* is not relevant to these proceedings. However, the Tenant(s) is entitled to file their own applications at the Board in respect of these issues.

The Landlord's Right to Apply and Out of Scope Submissions

7. The Tenants filed a group submission on matters which, while I understand are important to the Tenant, are not matters which the Act permits me to consider on the hearing of this application. The issues raised by the Tenants which are not relevant to my findings here are as follows:
 - a. Issues pertaining to interference with reasonable enjoyment (i.e., smoking in the building and on balconies, noise at all hours of the night). The validity of Notice of Rent Increases received by affected Tenants.
 - b. Whether the Landlord undertook capital work to improve the property.
8. Although the Tenants 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. This application does not contain any claimed capital expenditures. The Board cannot stop the Landlord from exercising its right to apply for an above guideline rent increase.

It is ordered that:

1. The Landlord may increase the rents charged by 0.49% 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, 2025, to February 28, 2026.
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 60 days of the date of this order.

April 15, 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 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 Tenants moved in, and if the Landlord has given the Tenants 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. The annual guideline for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:**130 Lincoln Road, Waterloo, Ontario, N2J 4N3**

101	301	412	705	908
102	302	501	708	909
103	303	503	709	910
104	305	505	710	911
107	306	506	711	912
109	308	507	802	1001
110	309	508	803	1002
111	310	509	805	1003
112	401	512	806	1005
201	402	602	809	1007
202	403	603	810	1008
203	404	604	901	1009
206	406	605	902	1010
207	407	607	903	
208	408	702	904	
210	409	703	905	
			907	

140 Lincoln Road, Waterloo, Ontario, N2J 4N4

101	302	504	702	905
102	304	505	703	906
103	306	506	704	907
105	307	507	705	909
106	308	508	706	910
107	309	509	707	911
108	310	510	709	912
110	401	511	711	1001
112	402	512	802	1002
201	404	602	804	1003
202	405	603	805	1004
203	406	604	807	1005
204	407	605	808	1006
205	408	606	810	1007
206	409	607	811	1008
207	410	608	812	1009
209	411	609	901	1010
210	501	610	902	1011
212	502	611	903	1012
301	503	612	904	

Schedule 2 - Tenants who are Affected by this Order:

Abdi, Abdullahi	Barbat, Viorel	Didur, Lurii
Mohamed	Barth, David	Dixon, Linda
Abdi, Dekar	Bashir Mohamed,	Dowling, Victoria
Abdi, Sumaya	Ahmed	Duncan, Kyle
Abdi Ali, Khadija	Bashir Mohamed, Farah	Dutta, Susmita
Abduljalil Mansoor,	Baumann, Alexander	Duxbury, Brad
Mohammed Saeed	Beaulieu, Marleen	Eade, Janet
Abdulkadir, Kifah	Beigzadeh, Ghasem	Eade, Ryan
Abouljalil Mansoor,	Bellamy, Janice	Easo Thomas, Nidhin
Ranyam Saeed	Berhe, Fiyori-Beraki	Eze, Kenechi
Abulayha, Alia	Bhandari, Namuna	Farah, Abdiyo Hassan
Adbelelkerim, Sara	Bhatt, Kishan	Fareghi-Naeini, Iran
Ahmadi, Abdul Mamin	Bigdeli, Reza	Farsi, Milad
Ahmadi, Muzhda	Bigelow, Heather	Flitton, David
Ahmed, Isse	BinAbri, Abdulrahman	Forster, Mary
Akande, Mary	Bista, Bhin	Franco, Nelson
Akbari, Hamid	Blackmore, Joan	Frank, Kevin
Akbari, Rika	Blakeley, Brenda	Fyles, Cassandra
Al Asadi, Enam	Bodar, Hiteshkumar	Ganeshan, Maheshwary
Al Asadi, Hala	Brubaker, Stephanie	Ganeshan, Manojanan
Al Awad, Jourie	Bruckler, M	Ganeshan,
Al Halloul, Ghazi	Bulle, Adow Aden	Muthukaruppapil
Al Haloul, Hussein	Campbell, Flora	Ganeshan,
Ali, Amin Hassan	Clark, Charles	Sabarikrshna
Ali, Kawther	Clark, Martha	Garcia, Mary Jane
Ali Aden, Asho	Colesnicova, Irina	Garcia, Michael
Ali Aden, Mohamed	Cooke, Jack	Garlichs, Drew
Alian, Hamid	Coombs, Elaine	Gebremeskel Nagasi,
Aljabrery, Abdulamir	Coombs, Pam	Wogahta
Almaou, Mohammad	Corriveau, Krystina	Gehar, Semira
Almaou, Samer	Crema, Lynn	Ghebrezghabiher, Hluf
Almasalmeh, Hana	Danis, Laurie	Gill, Jaskanwar Singh
Almohamad, Jaber	Danis, Robert	Gillespie, Aleksandr
Ahmad	Das, Apratim	Glofcheskie Henry,
Al Zoubi, Salwa	Daun, Kyle	Deborah
Arastu, Zia	Dawood, Amira	Godinho, Antonio
Armstrong, Jake	Dawood, Jumaa	Golka, Raymond
Armstrong, Raymong	Dede, Nesrin	Goswami, Vishal
Arnal-Cook, Marian	Delic, Nick	Haghighi, Homeyra
Arshid, Abdulrahman	Denomme, Mary	Hamdi, Mohammad
Askew, Jason	Destounis, Burke	Barez
Bagunaid, Sabri	Dhusa, Tejaswini	Hamdi, Samia

Hamid Al Sabaei, Wafa
 Abdulghani
 Hamidou, Haoua
 Hammer, Melissa
 Hassan Nouh,
 Mohamad
 Hatherley, J
 Haydar, Muhammed
 Hayward, Sherry
 Heer, Ashlee
 Heer, Wesley
 Henry, Bernard
 Hickman, Angela
 Hickman, Christopher
 Higginson-Rollins,
 James
 Higginson-Rollins,
 Rebecca
 Hodgkinson, Allen
 Hodgkinson, Krista
 Hodgkinson, Stefanie
 Hotak, Shakila
 Hotak, Zubair
 Howey, Elsie
 Howey, Mike
 Hynes, Hubert
 Ibbitson, Wendy
 Ismail Aboh, Haga
 Jones, Bryan
 Kalbfleisch, Robert
 Kamel, Duaa
 Kasim, Mohamed
 Kefalas, Athnasios
 (Tom)
 Kelly, M
 Keltner, Victor
 Khaleel, Tasneem
 Ibraheem
 Krieschneider, Ferenc
 Kryven, Marta
 Kundu, Abhisek
 Kunes, Khlood
 Kweon, Jaeseung
 Lal, Mohit
 Li, Yu
 Lieu, Souvanny

Logue, Kody
 Lu, Jingya
 MacKechnie, Kathryn
 Mackenzie, Allison
 MacLean, Karin
 Mahmoud, Mariam
 Suleman
 Mahrug, Ezzeddin
 Majkut, Marlee
 Malhotra, Swati
 Marion, Jake
 Mark, Kevin
 Martin, Rodney
 Matzek, Vera
 Mayer, Sarah
 Mazerolle, Don
 Mazerolle, Kathy
 McHugh, Shirley
 Mennie, Holly
 MirAli, Fatima
 MirAli, Ibrahim
 Mitchell, Joan
 Mitchell, Keith
 Moayyedi, Arash
 Mohamed Idd, Jama
 Moser, Katherine
 Moser, Kayleigh
 Nafziger, Joyce
 Nafziger, Leonard
 Nemeth, Beth
 Okeke, Dennis
 Oluwarole, Adedeji
 Osman, Anisa Ahmed
 Pan, Antony
 Pan, Katy
 Panchal, Pooja
 Parastesh, Sadaf
 Parent, Simon
 Parker, David Roy
 Parsana, Yash
 Parsons, Susan
 Patel, Harshad
 Patel, Jalpaben
 Patel, Nayna
 Patel, Prayash
 Patel, Sundip

Pereira, Joao
 Pereira, Maria
 Perron, Stefanie
 Peterson, Kenneth
 Peterson, Theresa
 Pike, Anita
 Pike, Nabel
 Qiu, Yu
 Rahimian Parvar,
 Mostafa
 Rajmanohar, Gayathri
 Riel, Carole
 Riel, Roy
 Ritchie, Jane
 Robb, Jason
 Roberts, Brodyn
 Roberts, Jerriele
 Rocha, Aline
 Roeder, Karla
 Roeder, Richard
 Roncea, Margarera
 Ronzio, Katherine
 Rozovits, Irene
 Saada, Belal
 Saelee, Daniel
 Saelee, Joe (Fouzing)
 Sangani, Kevin
 Santos, Ruddy
 Sanyasi, Tila
 Sayer, Wendy
 Schmid, Emily
 Schulde, Anton
 Scoular, Robert
 Sherlock, Terry
 Sikora, Gregory
 Simpson, Christopher
 Simpson, Daniel
 Simpson, Katharine
 Anne
 Simpson, Patrick
 Singh, Guneet
 Smith, Anne
 Solorzano, Aristides
 (Art)
 Sutton, Joel
 Sweeney, Deborha

Temmo, Mahmud
Temmo, Zehra
Timan Ragab Bakhei,
Noureldin
Tinslay, Laura
Trenholm, Emma
Trump, Rachel
Ukamaka Eze, Mary
Jane
Vanderwiell, John
Velez Gomez, Ximena

Virk, Ahmed
Voisin, Donna
Voisin, Raymond
Vokac, Frank
Wargedian, Araman
Wargedian, Arthur
Wargedian, Fera
Watkinson, Donna
Widdes, Debra
Williams, Scott
Woods, Shirley

Wray, Dianne
Wynlarsky, Craig
Yantz, Craig
Young, Kimberley
Zettler, Delphine
Zettler, Ronald
Zhang, Jingxian
Zhao, Dandi
Zhao, Yun Qiang
Zuniga Medina,
Fernando