



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

File Number: LTB-L-042690-24

In the matter of: 155 Dalhousie Street, Toronto, Unit 844, Ontario,
M5B2P7

Between: Dr Hemen P Shukla Med Prof Corporation Landlord

And

Shawn Groberg Tenant

Dr Hemen P Shukla Med Prof Corporation (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, Shawn Groberg. The Landlord replied to the Tenant.

Preliminary Matters

Member Endorsement Form – Request to Consolidate Separate Applications

The Landlord wrote to the Board on July 2, 2025 seeking to consolidate three separate applications filed in 2023, 2024, and 2025.

A Member Endorsement Form was issued on July 4, 2025 Vice Chair Egya Sangmuah denying the request for the reasons set out in that Member Endorsement.

It is determined that:

Municipal Taxes and Charges

1. 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 0.14%. This increase is to be taken in the first year.

3. The Board received submissions from Shawn Groberg. These submissions were taken into consideration to the extent we can under the legislation. The Landlord's reply was also taken into consideration.

General

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

The Calculated Increase

5. The Tenant residing in the residential complex made submissions about what they believe the rent increase should be based on their own calculations. They submit that their calculated increase as detailed in their submission, amounts to an additional \$2.42 monthly.
6. While the parties may have done their own calculation setting out what they believe the above guideline increase should be, the Board considers whether there was an extraordinary increase in municipal taxes, as described in this Order above, and calculates the increase in accordance with the Rules set out under s. 29 of O. Reg. 516/06.

Financial Hardship

7. The Landlord submits that the Tenant has resided in the rental unit since 2020 and that they did not increase rent because the Tenant said he could not afford it and they "naively acquiesced". They submit that the rent is now not reflective of their basic costs and the market value of the unit and that mounting costs including condo fees and mortgage increases have left them in a financially untenable situation.
8. In respect to the Landlord's submission of financial hardship, the Act does not provide the Board with the authority to consider, in an application for an above guideline increase due to an extraordinary increase in municipal taxes and charges, the financial impact on the Landlord because they chose to forgo rent increases permitted under the Act.

Out of Scope Submissions

9. The Tenant residing at the residential complex made submissions 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 Tenant which are not relevant to my findings here are as follows:
 - a. The validity of Notice of Rent Increases received by affected Tenants.
 - b. Their past rent increase history.

10. 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. 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 0.14% 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 September 1, 2024, to August 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 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. 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.
2. 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.
3. The annual guideline for 2024 is 2.50% and for 2025 is 2.50%.