



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-071777-23

In the matter of: 2121 Rathburn Road East, Mississauga, Ontario, L4W 2X3

Between: Capreit Limited Partnership Landlord

and

Refer to attached Schedule 2 Tenants

Capreit Limited Partnership (the 'Landlord') filed an L5 application 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.

The application was heard at a Case Management Hearing ('CMH') by videoconference on January 12, 2026, on VC line 157.

The following parties attended the hearing: The Landlord's Legal Representative at the hearing was Patty Duwyn who attended with the Landlord's Agent Joanna Michel. Several Tenants attended.

The Tenants to be removed from this application as listed on the Certificate of Service dated December 10, 2025, are in the following 16 units: 206, 508, 602, 704, 705, 803, 901, 910, 1001, 1103, 1104, 1107, 1108, 1201, PH06, and PH11.

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

1. The Landlord justified a rent increase above the guideline because of a capital expenditure.
2. The maximum rent increase above the guideline because of a capital expenditure is 2.65%. The Landlord's application is for the following capital expenditure:
 - a. Roof Replacement.
3. Where the Landlord's application requests an increase of 2.97%, the maximum increase above the guideline for all of these units is 2.65%. This increase is to be taken as follows: 2.65% in the first year.
4. The weighted useful life for the capital expenditure is 20 years.

5. The first effective date of the rent increase above the guideline is January 1, 2024.
6. 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.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by 2.65% 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 January 1, 2024, to December 31, 2024.
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 30, 2026
Date Issued

Chris Jackson
Hearing 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. Any part of the ordered increase that is not taken within the time period specified cannot be added to subsequent rent increases in subsequent time periods.
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 2024 is 2.50%.

Schedule 1 - Units affected by this Order:

103	506	906
105	507	907
106	509	908
110	510	909
111	511	1002
201	601	1003
203	604	1004
204	605	1005
205	606	1006
208	608	1008
209	609	1009
211	610	1010
301	611	1011
302	701	1101
303	703	1102
304	706	1105
305	707	1106
307	708	1109
309	710	1110
311	711	1111
401	801	1203
402	802	1206
404	804	1208
405	805	1209
406	806	1210
407	807	1211
408	808	PH02
410	810	PH03
411	811	PH04
502	902	PH05
503	903	PH07
504	904	PH09
505	905	PH10

Schedule 2 - Tenants who are Affected by this Order:

Adam, David	Glen, Mertland	Mirabelli, Giovanni Marco
Affleck, Barry	Goodwin, Susan	Montpetit, Marlana
Aitken, John	Gorrell, Kenneth	Nathoo, Alim
Anderson, Donald	Hall, Paula	Neill, Irene
Anderson, Linda	Harbarets, Iryna	Novak, Eva
Astri'bonavia, Linda	Harris, Dionne	Oleszkowicz, Gail
Attwell, Patti	Harris, Lyndon	Oletarczyk, Danuta
Aube, Shyla	Harrison, Cheryl-Lynn	Olszanowski, Kathy/Ann
Berni, Fred	Johnston, Gemma	Page, Kevin
Berni, Jill	Jones, Robert	Paine, Graham
Bielecki, Zbigniew	Kennedy, Helen	Pointet, Dominique
Blake, Dameion N	Klowak, Kiley/Marie	Poltrok, Carole/A
Bonavia, Antoine	Komonko, Darrell	Predrag, Lakicevic
Bousfield, David	Korchuk, Patricia	Randolph, Knipping
Boyle, Janice	Kreutzberg, Martin	Reid, Tre-Von
Braithwaite, Ian	Kucukovic, Emina	Riddell, Paula
Brandreth, Mark	Kucukovic, Fahrudin	Roy, Annette
Brelik, Adam	Kucukovic, Haris	Santebery, Alton
Brereton, Sandra	Kurowska, Teresa (Terry)	Savic, Nenad
Burlow, Kathie	Lalman, Edmund	Savic, Tamara
Campbell, Philemon	Lazarova, Tatjana	Sernizon, Lucas
Cardenas, Nicole	Lepine, Gerard	Smith, Peter
Cato, Marilyn	Lewandowski, Karolina	Spilchuk, Shirley
Chan, Tuen Yee (Irene)	Lewis, Richard	Stensson, Kelly
Charles, D'shawne	Lumley, Leanne	Stonehouse-Degrasse, Tina
Chasse, Olga	Luz, Linda	Tchavdarov, Metodi
Cholewicki, Marek	Maier, Deborah	Thompson, Patricia
Clements, Barbara	Maier, William	Todorova, Svetlana
Craigie, Iain	Malcolm, Faith	Uroda, Natalie
Cyril, Nirmala	Malcolm, Meshak	Venn, Douglas
Cyril, Rajkumar	Manuel, Tracey	Vukosavljevic, Teodor
Di/Piero, Anthony	Marsman, Wayne	Wallace, Marie
Dobrowolski, Adam	Mary, Masson	Watson, Gregory
Docherty, Heather	Matar, Linda	Whale, Paul
Dos Santos, Roseli	Mattachioni, Christine	Williams, Michael
Dzeko, Damjana	Mcconnel, Pamela	Williams, Tamara
Fera, Pasquale	Mcelroy, Karly Joanna	Wolfe, Fay
Francis, Susan	Mckechnie, Colin	Zashev, Andrey
Furguele, Frank	Middleton, Linda	Zbikowski, Marian
Garcia, Gervasio	Miles, William	Zdravic, Marko
Garcia, Maria	Militaru, Octavian	
George, Gabriela	Minniti, Mike	

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 the 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 the 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.