



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-019468-25

In the matter of: 1285 Lakeshore Road, East, Mississauga, ON,
L5E 1G4

Between: Homestead Land Holdings Limited Landlord

And

Refer to attached Schedule 2 Tenants

Homestead Land Holdings Limited (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: Ban Taha, Karolina Jacak, Shannon Holmes, Natasha Timms, Qian Ren, Laura Andrea Alvarez, Janice Herrington and Rudolf Bojanowski. The Landlord replied to the Tenants.

Preliminary Matters

Procedural Fairness

1. The Tenants, Laura Andrea Alvarez, and Shannon Holmes, submit that the Landlord's application listed an incorrect email address for the Landlord's Legal Representative resulting in failing in their first attempt to obtain the Landlord's supporting documents. Nevertheless, they submit that they were eventually able to find the correct contact information.
2. The Tenant, Shannon Holmes, submits that they found the alternate contact info in Part 1 – "General Information" of the Landlord's application and that contact worked, even though some Tenants were directed to another email some time after because the Landlord's Legal Representative went on leave. The Tenant submits that bounced back emails and/or out of office emails may have created confusion and hesitation for some Tenants in responding to the Landlord's application.

3. It is not unusual for out of office emails to direct individuals to an alternate person to address their concerns. I am not satisfied that this would have caused any confusion. I am satisfied that any delay caused to the Tenants in seeking the Landlord's supporting documents was minimal given that the Tenants, upon reviewing the Landlord's application, were able to find the correct contact information of the Landlord's Legal Representative and some were directed to a different email as part of their out of office reply. I am satisfied that the Tenants, were able to make submissions on this application within the timelines set out in the Notice of Written Hearing.

It is determined that:

Municipal Taxes and Charges

4. The Landlord justified a rent increase above the guideline because of an extraordinary increase in the 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).
5. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.38 %. This increase is to be taken in the first year.
6. The Certificate of Service filed by the Landlord on October 28, 2025, indicates that some rental units listed in the application were not served with the application and notice of hearing. The LTB 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: 108, 117, 201, 206, 208, 608 and 712.
7. The Certificate of Service filed by the Landlord on {date COS was filed}, indicates that some tenants listed in the application were not served with the application and notice of hearing. The LTB shall therefore amend the application by removing a tenant. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following tenant: Eric Mahoney.
8. The first effective date of the rent increase above the guideline is July 1, 2025.

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

9. The Tenants, Laura Andrea Alvarez, Qian Ren, Natasha Timms, Shannon Holmes, Karolina Jacak, Ban Taha, and Janice Herrington and Rudolf Bojanowski, made submissions on matters which, while I understand are

important to the Tenants, 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. The validity of Notice of Rent Increases received by affected Tenants.
 - b. Whether the sought increase is fair and equitable considering factors such as a high market base rent, the annual rent increase guideline amount, rent paid compared to rent others pay, and the sought increase.
 - c. That the Tenants would like historical information pertaining to prior above guideline applications of the Landlord.
 - d. Applications before the Board concerning other matters related to a tenancy.
 - e. That some Tenants may have been confused because of the differing annual rent increase guideline amounts applying in different years.
 - f. That some Tenants may have been confused, “alarmed”, or intimidated by information provided in the Board’s *How to Prepare for an Above Guideline Increase Hearing* document.
 - g. That the Landlord removed posters put up in the residential complex, created by a Tenant which the Tenant submits provided information that they believed would “help explain” the application and process in terms “people are not afraid of nor confused by”.
 - h. That the Landlord did not provide any evidence that they questioned or challenged the municipal taxes or sought relief or clarification from the City of Mississauga.
 - i. That there have been no major improvements benefitting the Tenants,
10. The Tenant, Laura Andrea Alvarez, made submissions seeking a breakdown of the Landlord’s calculated increase. However, the Board considers whether there was an extraordinary increase in municipal taxes, as described in this Order below, and calculates the increase in accordance with the Rules set out under s. 29 of O. Reg. 516/06.
11. The Tenants, Laura Andrea Alvarez, Qian Ren, and Shannon Holmes questioned whether an above guideline increase could be applied to charges related to a parking spot. The Act does not permit me to provide legal advice to Tenants or to make findings on this issue as part of this application. However, the Tenant(s) are free to seek legal advice on this issue.
12. I note there were a number of submissions noting that some Tenants may have been confused about the process or the application. The Notice of Written Hearing specifically provides information on how a Tenant may seek legal advice through a local community legal clinic and/or through Tenant Duty Counsel. It also provides resources including the phone number of the LTB contact centre should there be any questions. I am not satisfied that the Tenants were prevented from seeking more information about the process or the application.

13. 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.

Maintenance

1. Tenants, Laura Andrea Alvarez, and Natasha Timms, submit that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. Allegations of mold in rental unit and lack of responsiveness on the reporting of the issue.
 - b. There is a lack of consistent security at the building and safety concerns due to strangers who may access the building.
2. Subsection 126(12) of the *Act* refers to serious, ongoing breaches of the Landlord's maintenance obligations. I am not satisfied that maintenance issue 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.

Financial Hardship

3. The Tenants, Laura Andrea Alvarez, Qian Ren, Natasha Timms, Shannon Holmes, Karolina Jacak, Ban Taha, and Janice Herrington and Rudolf Bojanowski, submit that the Board should consider financial hardship to Tenants caused as a result of any increase granted. They submit that they face financial hardship due to a number of reasons including being on a fixed income and supporting a dependant, being on disability income, having a reduction in income due to medical circumstances.
4. In respect to the Tenants submission of financial hardship, the Act does not provide the Board with the authority to consider the financial impact on the tenants of an above guideline increase when determining whether a landlord's above guideline increase application should be granted or denied.
5. Pursuant to subsection 205(2) of the Act where the Board makes an order for a rent increase above the guideline and that order is made more than three months after the first effective date of a rent increase in the order, the Board may permit a tenant to pay the Landlord the amount owing in monthly instalments.

6. Pursuant to subsection 205(2) of the Act, given that this order will issue more than three months after the first effective date of the above guideline rent increase herein, I am permitting the Tenants, Laura Andrea Alvarez, Qian Ren, Natasha Timms, Shannon Holmes, Karolina Jacak, Ban Taha, and Janice Herrington and Rudolf Bojanowski, to pay any amounts owing to the date of the order in 4 monthly installments starting 30 days from the issuance date of this Order.

It is ordered that:

1. The Landlord may increase the rents charged by 0.38 % 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 July 1, 2025, to June 30, 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 shall pay to the Tenants any sum of money that is owed as a result of this order within 60 days of the date of this order.
5. The Tenants residing in units 312, 401, 501, 517, 609, 619, 708, shall pay any amount owing to the Landlord as a result of this order in 6 monthly installments, beginning 30 days from the issuance date of this Order.
6. For all other Tenants, they shall pay to the Landlord any sum of money that is owed as a result of this order within 60 days of the date of this order.

May 1, 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 Landlords 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 Landlords have given the Tenants at least 90 days proper Notice of Rent Increase.
2. If the Landlords have given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlords may only take the rent increase set out in the Notice.
3. The annual guideline for 2025 is 2.50% and 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

1285 Lakeshore Road, East, Mississauga, ON, L5E 1G4

0101	0204	0304	0401	0415	0511	0609	0706
0103	0205	0305	0402	0417	0512	0610	0707
0104	0207	0306	0403	0419	0514	0611	0708
0105	0210	0307	0404	0501	0515	0612	0709
0106	0211	0308	0405	0502	0517	0614	0710
0110	0212	0309	0406	0503	0519	0615	0711
0111	0214	0310	0407	0504	0601	0617	0714
0112	0215	0311	0408	0505	0602	0619	0715
0114	0217	0312	0409	0506	0603	0701	0717
0115	0219	0314	0410	0507	0604	0702	0719
0119	0301	0315	0411	0508	0605	0703	
0202	0302	0317	0412	0509	0606	0704	
0203	0303	0319	0414	0510	0607	0705	

Schedule 2 - Tenants who are Affected by this Order:

Acs, AnaMaria	Ihsane, Fdila
Adler, Cheryl	Jacak, Karolina
Alvarez, Laura	Jachyra, Edward
Amoroso, Rose	Joshi, Riddhi
Augusto, Manuel	Kester, Tomi
Bates, Mandy	Laing, Nina
Bayley King, Maria	Leblanc, Gloria
Bilokrely, Kenneth John	Litowski, Angela
Bojanwski, Rudy	Loureiro, Zelia
Buglar, Meta	MacMurray, Kasandra
Burbidge, Alan	Marciniak, Pawel
Canakos, Lucy	Martin, Laura
Carew, Daniel	McCarthy, Frank
Carson, Bruce	McDonald, Katherine
Cedeno Rodriguez, Gicela Esther	McMillan, Romuald
Cehajic, Muris	Mendez, Noemy
Chauhan, Pranjali	Milanov, Valentin
Di Franco, Antonietta	Mircheva, Roza
DiMunno, Domenico	Mizimakovski, Michael
Dobson, Richard	Mojdisz, Anita
Drozdov, Artym	Moore, James
Durette, Laura	Nguon, Ashley
Durkin, Isabel	Noonan, Susan
Everitt, Scott	O'Connor, Joan
Feggi, Tracy	O'Leary, Laura
Fisker, Kyle	Ofosu, Sandra
Gagne, Germaine	Ouimette, Carol
Garbar, Balazs	Oulton, Jeff
Grierson, Shelly	Papp, Annamaria
Herrington, Janice	Patterson, Altrice
Holdings Ltd, Mckenna	Patterson, Petroann
Holmes, Shannon	Payne, Gary
Horbasz, Stephanie	Perez, Karina
Housing in Peel, Supportive	Perez Guerrero, Jesus
Housing in Peel, Supportive	Prescott, Frances
Housing in Peel, Supportive	Pyzik, Stanislaw
Housing in Peel, Supportive	Rahim Bangura, Superintendent
Housing in Peel, Supportive	Ralph, Cheryl
Housing in Peel, Supportive	Ralph, Glenys
Housing in Peel, Supportive	Rathod, Saniya
Hunter, Patrick	Ren, Qian
Hussain, Abdulrahim	Rickets, Shawn
Hussein, Imad	Russell, Tonya
Ignatius, Jennifer	Saarnia Mizimakovski, Robyn

Salema, Jim
Sarty, Sarah Ann
Seepaul, Sue Sumintra
Skowron, Elizabeth
Smith, Steven
Soares, Luisa
Stewart, Paige
Stojcic, John
Stork, Allan
Stork, D
Stork, Devon
Sweeney, Delora
Syme, Bonnie
Szadkowski, Marcin

Taha, Ban
Tapinawashe Vushe, Building Manager
Taylor, Valerie
Thompson, Robert
Timms, Nathash
Videla, Maria
Weber, David
Wilson, Lori
Wilson, Sean
Wintermute, Linda
Xhaferri, Sefire
Young, Allicia
Zanin, Petro