



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-023457-25

In the matter of: 1000 Mount Pleasant Road, Toronto, ON, M4P
2M2

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: Edgard Mauricio Gomez Gomez, Angie Katherine Parga Camargo, John Jairo Trujillo Peralta, Diana Cristina Garnica Sossa, David Felipe Marino Roza, Bouchra Khalaf, Caitlin Brock, Maria Gabriela Perezanta Campero, Heidy Rivero Morales, Beatriz Diaz and Kenya Garibay. The Landlord replied to the Tenants.

Tenants are not permitted a reply to the Landlord's reply submissions. As such those submissions have not been considered.

Preliminary Matters

Requests for Supporting Documents

1. The Tenants, Caitlin Brock, Maria Gabriela Perezanta Campero, John Jairo Trujillo Peralta, Angie Katherine Parga Camargo, Edgard Mauricio Gomez Gomez, and Heidy Rivero Morales, submit that on the request of the Tenants, the Landlord did not provide Tenants with full tax bills, payment history, receipts, rebates, grants, or tax adjustments, their calculations to determine the "extraordinary increase", and all evidence they submitted to the Board.
2. In reply, the Landlord submits that they served on the affected Tenants, their application and supporting documents including tax bills and proof of payment along with the Notice of Hearing Package on October 31, 2025.

3. I note the Landlord's Certificate of Service, filed on November 3, 2025, providing that affected Tenants were served with the application and Notice of Written Hearing Package either by hand or under the door On October 31, 2025.
4. In an application for an above guideline increase due to an extraordinary increase in municipal taxes, the Landlord must provide evidence of their final tax amounts owing for the Reference and Base Year, and proof of payment. The Landlord would only be required to submit details about any rebates or grants if they received any and their application indicates that they have not. I am satisfied, that the Landlord provided their supporting documents to the Tenants on October 31, 2025.
5. The Landlord is not required to provide details about how they calculated an increase since the calculations are done by the Board after all necessary supporting documentation is provided to the Board. 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.

It is determined that:

Municipal Taxes and Charges

6. 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).
7. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.25%. This increase is to be taken in the first year.
8. The Certificate of Service filed by the Landlord on November 3, 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: 107, 108, 115, 207, 210, 213, 303, 322, 325, 402, 415, 504, 508, 610, 702, 703, 1001, 1101 and 1102.
9. The Certificate of Service filed by the Landlord on November 3, 2025, 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 these ten tenants. As a result, this order for a rent increase above the

guideline under section 126 of the Act does not apply to the following tenants:
Alexandra Danial and Fahmi Hassen.

10. The first effective date of the rent increase above the guideline is July 1, 2025.

Claimed and Excluded Costs – Residential and Commercial Small Business

11. The Tenants, including Caitlin Brock, Angie Katherine Parga Camargo, Edgard Mauricio Gomez Gomez, and Heidy Rivero Morales, submit that the Landlord did not include documentation related to commercial tax allocations.

12. The Landlord has noted in their application that there are municipal tax costs associated with a commercial small business operating at the residential complex. The Landlord's final tax bills submitted in support of this application note, for both Reference Year – 2023 and Base Year – 2024, municipal taxes and charges associated with the commercial small business which are detailed as follows:

- A. Commercial Small Business 2023 – \$5,812.31
- B. Commercial Small Business 2024 – \$5,959.71

13. I note that the Landlord has deducted from the municipal taxes and charges claimed in this application, the municipal taxes and charges associated with the commercial small business for each the Reference Year and Base Year. As such, I accept that the Landlord has only claimed an extraordinary increase in municipal taxes and charges for the residential complex affected by this application and has excluded any municipal taxes and charges associated with the commercial small business.

Maintenance

14. The Tenants, including, David Felipe Marino Rozo, Diana Cristina Garnica Sossa, Caitlin Brock, Maria Gabriela Perezanta Campero, Bouchra Khalaf, Beatriz Diaz, John Jairo Trujillo Peralta, Edgard Mauricio Gomez Gomez, and Heidy Rivero Morales submit that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:

- a. Humidity in rental unit.
- b. Condensation on the windows.
- c. Carpet problems that attract insects.
- d. The refrigerator broke a number of times in a short period resulting in loss of food.
- e. Frequent elevator malfunctions and out of service.
- f. Leaking roof in parking lot causing damage (photographic evidence included).

- g. Leaking air conditioner causing damage in rental unit (some Tenants provided same photographic evidence as others).
 - h. No cleaning of exterior windows.
 - i. Ants and other bugs in the building.
 - j. Poor condition of treadmills in the building
 - k. No maintenance or cleaning of building façade.
 - l. Repairs to leaks in rental unit have not resolved the issue despite a number of requests from the Tenant.
 - m. Damaged paint and flooring in rental unit, and old carpet.
 - n. Air conditioner has stopped working a number of times – no maintenance to air conditioning or heating system.
 - o. Old and dirty appliances on move in and appliance issues.
 - p. Flickering lights in the bathroom and exhaust fans not functioning properly.
 - q. Dirty laundry room, at least one machine out of service.
 - r. Kitchen sink plumbing issues.
15. 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 Tenants, even if they remain outstanding, would rise to the level of a serious breach of the Landlord's maintenance obligation. 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.

Out of Scope Submissions

16. The Tenants, including, Heidy Rivero Morales, Caitlin Brock, Maria Gabriela Perezanta Campero, Bouchra Khalaf, Beatriz Diaz, John Jairo Trujillo Peralta 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. Ongoing periods of pool closures and tennis court closure.
 - c. Noises from renovation going on in the residential complex.
 - d. Whether city wide tax trends impact on the increase in municipal taxes and charges and whether the Landlord's circumstances are unique.
 - e. Whether or not the Tenant believes that the increase granted in this instance falls withing a "reasonable range" based on other decisions of the Board.

Financial Hardship

17. The Tenant, Heidy Rivero Morales, submits that the Board should consider financial hardship which may be caused a result of any increase granted for a

number of reasons including, job loss and reduced income, increased costs of food, utilities, transportation, and basic necessities.

18. In respect to the Tenant's submission of financial hardship, the Act does not provide the Board with the authority to consider the financial impact on the tenant of an above guideline increase when determining whether a landlord's above guideline increase application should be granted or denied.
19. 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 Tenant, Heidy Rivero Morales 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.
20. As always, if the Landlord is amenable to a longer repayment plan for those Tenants facing financial hardship that remains within the Landlord's discretion.

It is ordered that:

1. The Landlord may increase the rents charged by 0.25% 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 Tenant Heidy Rivero Morales, shall pay any amount owing to the Landlord as a result of this order in 4 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 14, 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 for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

1000 Mount Pleasant Road, Toronto, ON, M4P 2M2

0101	0206	0301	0318	0413	0509	0613	1003
0102	0208	0302	0319	0414	0510	0701	1004
0103	0209	0303	0320	0416	0511	0704	1005
0104	0211	0304	0321	0417	0512	0705	1006
0105	0212	0305	0323	0418	0513	0801	1103
0106	0214	0306	0324	0419	0514	0802	1104
0109	0215	0307	0401	0420	0515	0803	1105
0110	0216	0308	0403	0421	0601	0804	1106
0111	0217	0309	0404	0422	0602	0805	1201
0112	0218	0310	0405	0423	0604	0806	1202
0113	0219	0311	0406	0424	0605	0901	1203
0114	0220	0312	0407	0501	0606	0902	1204
0201	0221	0313	0408	0502	0607	0903	1205
0202	0222	0314	0409	0503	0608	0904	1301
0203	0223	0315	0410	0505	0609	0905	1302
0204	0224	0316	0411	0506	0611	0906	1303
0205	0225	0317	0412	0507	0612	1002	1304

Schedule 2 - Tenants who are Affected by this Order:

Ahangar, Korosh	Demeski Fava, Marcia
Ahmed, Eman	De Oliveira Fava, Leonardo
Ahmed, Zeina	Diaz, Beatriz
Aikman, Lisa	Dolezel, Hazel
Akbarishakeeb, Samira	Elangovan, Twinkle Rachel Angeline
Aldar, Gorlos	El Azali, Mounir
Alexander, Linda	Eliyahu, Nitzan
Allin, Mildred	Erko, Henock
Antony Dcruz Chandran, Jerin Joseph	Filipovic, Ana
Asgari, Azadeh	Fitzpatrick, Stephen
Austerberry, Adam	Flamenbaum, Hilton
Baker Bryan De Borrás, Yaretmi	Flamenbaum, Miriam
Barbosa Menezes, Marina	Gannon, Liana
Battaglia, Andrea	Garibay, Kenya
Beaton, Betty	Garnica Sossa, Diana Cristina
Bellemare, Alain	Gaxiola Tapia, Ana
Bernardino de Almeida, Wesley	Gaxiola Tapia, Ana
Bocci, Miranda	Ghadimin, Nasrin
Boland, Gerald Scott	Giannatiempo, Anne
Bondarev, Taras	Gomez, Edgard
Bondareva, Svetlana	Gonzalez Reina, Marlon
Bondariev-Rachkov, Oleksandr	Goodarznezhad, Shahram
Borkar, Kalyani	Guerrero Arteaga, Diana Marcela
Boyles, Elizabeth	Hancharou, Ihar
Brock, Caitlin	Hassibi, Daniel
Brown-Davis, Kareen	Hastings, Robert
Cardenas, Astrid	Hazan, Sydney
Carstens, Patrick	Henderson, Rodney
Cassidy, Erin	Henry, Zindzi
Cho, Eun Sook	Howland, Christopher
Chodat, Barbara	Ilarslan, Cem
Christmann, Marcus	Jackowski, Patryk
Cogan, Paul	Jensen, Theresa
Cohen, Wendy	Johnston, Lisa
Connor, Stacey	Jung, Eugene
Conway, Jodi	Kaliciak, Darren
Cordova, Maria del Sol	Kazakov, Aleksandr
Cornacchia, Giovanni	Kazakov, Alla
Cromwell, Matthew	Kerr, Denise
Cromwell, Tessa	Kerr, Roger
Dakhnenko, Dmytro	Khalaf, Bouchra
Deline, Chris	Khalid, Shahzaib

Kim, Richard
Kohler, Mark
Krasnikova, Elina
Larragoiti, Joshua
Lasso, Andres
Lee, Sangmin
Li, Cangji
Li, Wen Fei
Li, Yuling
Logozzo, Rosa Maria
Lopes Santiago, Maximiliano
Lupton, Deborah
MacLean, Jason
Malton, Shelley
Marino Rozo, David Felipe
Martins Machado Bernardino, Joice
Masterson, Nicola
Matinniia, Sina
Matsen De Almeida, Makeli
McFarlane, Andree
Miranda, Sandra
Movilla, Felipe Jr.
Movilla, Luzvismin
Mughal, Kinza
Murphy, Deborah
Murphy, Peter
Neilson, Jean Margaret
Nichols-MacLean, Cheryl
Nutt, Kenneth
Nyamuda, Anesu
Orgilsaikhan, Bulgan
Paiola, Pedro
Pantham, Suresh
Pantham, Veera Bhadra Hanuma
Parga Camargo, Angie Katherine
Park, Hongmin
Pasternak, Evgeny
Pen, Elizabeth
Perez, Ana Marcela
Perezanta Campero, Maria Gabriela
Pry, Carol
Puchnina, Valeriia
Pyvovar, Serhii
Quan, Jessica
Rafael, Manfrin Bertim
Raza, Fatima
Retsinas, Pat

Richard, Joan
Rios, Fernanda
Rivero Morales, Heidy
Robinson, Ian
Rodriguez, Fay Angela
Saksena, Akshay
Salama, David
Sellar, Andrew
Serb, Petronela
Shahrivar, Katayoun
Shirzad, Peroz Khan
Shulaev, Alexandre
Shulaeva, Natalia
Shulzhenko, Maryna
Solakhyan, Marina
Solomonov, Mikhail
Soltani, Farinaz
Spencer, David
Stanisz, Grzegorz
Stevens, Troy
Suschkov, David
Tapia Ceballos, Ana Maria
Tavares, Alessandra
Tavares, Sonia
Titus, Karen
Tomic, Marija
Traynor, Jeannine
Traynor, William
Trujillo Peralta, John Jairo
Vakilzadeh, Nima
Vangroll, Anita
Vennor, Ryan
Vipond, Jennifer
Vojnov, Aleksandra
Watson, Carolyn
Watson, Eric
Weiman, Aloma
Weiman, Jason
Werner, Alfred
Werner, Janice
Wilkins, Peter
Wong, Gordon
Wong, Sharran
Wong, Timothy
Woodford, Andrea
Yang, Jiaqi
Young, Judith

