



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-097028-25

In the matter of: 33 Elmwood Street, Kingston, ON, K7M 2Y7

Between: HOMESTEAD HOLDINGS LIMITED Landlord

and

Refer to attached Schedule 2 Tenants

Homestead 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.

A Case Management Hearing took place by videoconference on April 9, 2026.

The following parties attended the hearing: 105- H. Sultani; 607- S. Tozer; 509- F. de Matos Oliveria; 602- M. Rowghani; 506- N. Burchat; 509- J. Alves; 301- P. Patel; 304- A. Elms; 504- C. Hazell, and Landlord representative Ms. Sankey.

The Certificate of Service filed by the Landlord on March 10, 2026, 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: 0307, 0501, 0507 and 0603.

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

1. The maximum rent increase above the guideline because of capital expenditures is 1.80%. This increase is for the following capital expenditures:
 - a. Roof replacement;
 - b. Suite heating pump replacement; and
 - c. Paving.
2. Where the Landlord's application requests an increase of 2.09%, the maximum increase above the guideline for these units is 1.80%. This increase is to be taken in the first year.
3. Where the Landlord's application requests an increase of 1.99%, the maximum increase above the guideline for these units is 1.80%. This increase is to be taken in the first year.

4. Where the Landlord's application requests an increase of 0.16%, the maximum increase above the guideline for these units is 0.16%. This increase is to be taken in the first year.
5. The weighted useful life for the capital expenditures is as specified on Schedule 3.
6. The first effective date of the rent increase above the guideline is March 1, 2026.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 120 days of the date of this order.

May 25, 2026

Date Issued

Suzy Franklyn

Dispute Resolution 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 the Tenant 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 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

0101	0401
0102	0402
0103	0403
0104	0404
0105	0405
0106	0406
0107	0407
0108	0408
0109	0409
0110	0410
0201	0502
0202	0503
0203	0504
0204	0505
0205	0506
0206	0508
0207	0509
0208	0510
0209	0601
0210	0602
0301	0604
0302	0605
0303	0606
0304	0607
0305	0608
0306	0609
0308	0610
0309	G1
0310	G2

Schedule 2 - Tenants who are Affected by this Order:

Anson, M
Banks, Connie
Barrette, Jessica
Basnet, Shrawan
Bath, Fern
Boru, Lois
Burchat, Nicole
Bush, Donna
Chaudhari, Paraskumar
Clark, Michael
Clarke, William
Claus, Delwin Jr
Claus, Frances
De Matos Oliveira, Felipe
Diwan, Nahla N
Dixon, Lynn
Dunn, Michael
Elms, Adam
Goodman, Shari-Lyn
Habila, Maka
Hazell, Camille A.
Hinton-Mouck, Caroline
Hogan, Alexander
Hunter, Jason
Jeffrey, Gerald
Jeon, Hojung
Kaloti, Mandeep
Kaur, Harnoor
Kazzaz, Adel
Keesickquayash, Joyce
Kelly, Sharon
Khromenkov, Vladyslav
Kingston & Frontenac Housing Corp
Kumar, Sangeet
Larkin, Shelley A
Letsunyane, Refilwe

Li, Qi
Mahmoud, Hayat
Maloney, Cate
Maranga, Francis
Mathew, Daniel Baby
McLeod, Carol Ann
Modi, Umang Nitinkumar
Mott, Elvina
Mouck, Robert
Mulima, Michelle
Ndebele, Thandeka
Nemoto Tavares Alves, Juliana
Newell, Elizabeth
Norlock *, Mary-Ann
Ogedengbe, Tosin
Patel, Parth
Price, Shelley
Rowghani, Mahmood
Royer, Sheila
Saedal, Lee-Ann
Sepp, Vello
Somers, Patricia
Stark, Paul R
Sultan, Salem Naaem
Sultani, Fatema
Sultani, Hamidullah
Swain, Barbara
Talbot, Shawn
Tozer, Steacy
Warren, Shelly
Wicklum, Brandon
Wilson, Jan-Michael
Yanchuk, Oksana
Yanchuk, Semen
Yanchuk, Stanislav

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is March 1, 2026**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

For the period of March 1, 2026 to February 28, 2027				
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
0101, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0102, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0103, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0104, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0105, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0106, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0107, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0108, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0109, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0110, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0201, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0202, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0203, 33 Elmwood Street	0.00%	0.00%	0	0.00%
0204, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0205, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0206, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0207, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0208, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0209, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0210, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0301, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0302, 33 Elmwood Street	0.16%	0.16%	15	0.16%
0303, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0304, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0305, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0306, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0308, 33 Elmwood Street	0.00%	0.00%	0	0.00%
0309, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0310, 33 Elmwood Street	1.80%	1.80%	24	1.80%

For the period of March 1, 2026 to February 28, 2027				
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
0401, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0402, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0403, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0404, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0405, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0406, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0407, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0408, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0409, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0410, 33 Elmwood Street	0.16%	0.16%	15	0.16%
0502, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0503, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0504, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0505, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0506, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0508, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0509, 33 Elmwood Street	0.16%	0.16%	15	0.16%
0510, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0601, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0602, 33 Elmwood Street	0.16%	0.16%	15	0.16%
0604, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0605, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0606, 33 Elmwood Street	0.16%	0.16%	15	0.16%
0607, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0608, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0609, 33 Elmwood Street	1.80%	1.80%	24	1.80%
0610, 33 Elmwood Street	1.80%	1.80%	24	1.80%
G1, 33 Elmwood Street	1.80%	1.80%	24	1.80%
G2, 33 Elmwood Street	0.16%	0.16%	15	0.16%

Schedule 4 - Rent Reduction related to Capital Expenditures

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during 2026 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 Schedule 3).

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 2026 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 Schedule 3).

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.