



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

File Number: LTB-L-019333-25

In the matter of: 400 Waterloo Avenue, Guelph, ON, N1H 7H9

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: Jessica Lambe – Unit 809 and Imteaz Haque – Unit 909.

Preliminary Matters

Non-Parties – Submissions Not Considered

1. The Tenant residing in Unit 809 made submissions on the application noting that they were never served with any document pertaining to this application. The Landlord's Certificate of Service filed with the Board on March 4, 2026 indicates that the Unit 809 was not served with the Notice of Hearing and accompanying package. As such, Unit 809 is not a party nor affected by the application and therefore their submissions will not be considered.

It is determined that:

Municipal Taxes and Charges

2. 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).

3. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.45%. This increase is to be taken in the first year.
4. The Certificate of Service filed by the Landlord on March 4, 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: 101, 107, 207, 208, 312, 411, 606, 608, 701, 702, 803, 807, 809, 903, 911, 110 and 1110.
5. The first effective date of the rent increase above the guideline is July 1, 2025.

Out of Scope Submissions

6. The Tenant residing in Unit 909, 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. Specifically, the Tenant submits that new rentals in the residential complex are advertised at less monthly rent including a month free bonus and therefore, that no increase is needed.
7. 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 0.45% 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 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.

May 28, 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 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

400 Waterloo Avenue, Guelph, ON, N1H 7H9

0102	0209	0401	0505	0610	0804	0910	1103
0103	0210	0402	0506	0611	0805	0912	1104
0104	0211	0403	0507	0612	0806	1001	1105
0105	0212	0404	0508	0703	0808	1002	1106
0106	0301	0405	0509	0704	0810	1003	1107
0108	0302	0406	0510	0705	0811	1004	1108
0109	0303	0407	0511	0706	0812	1005	1109
0110	0304	0408	0512	0707	0901	1006	1111
0111	0305	0409	0601	0708	0902	1007	1112
0201	0306	0410	0602	0709	0904	1008	
0202	0307	0412	0603	0710	0905	1009	
0203	0308	0501	0604	0711	0906	1010	
0204	0309	0502	0605	0712	0907	1011	
0205	0310	0503	0607	0801	0908	1012	
0206	0311	0504	0609	0802	0909	1101	

Schedule 2 - Tenants who are Affected by this Order:

Abascal, Carlos	Gomes, Richard
Abraha, Helen	Gonzalez Rodriguez, Luis Manuel
Adeleye, Tolulope	Good, William
Ahmadi, Amir Mohammad	Gooding, Elspeth
Allin, Gordon	Gray, Pamela
Alo, Ghassan	Grist, Patrick
Alukh, Shaminder	Gunsolus, Etta
Amirali, Nisha Momin	Haddish, Mussie
Assefa, Yelma	Hanna, Jacqueline
Baily, Delloress	Hansen, Catherine
Ballentine, George	Haque, Imteaz
BARNES, JOHN	Hashemi, Nadiah
BARNES, PAT	Hashemi, Seyed Asad
BARNES, TRACY	Henderson, Reta
BARNES, WILLIAM	Hill, Isabelle
Bond, Ashleigh	Hirpo, Tsion
BRADLEY, ELAINE	Horman, Thomas
BROWN, SHELLEY	Humphrey, Mark
Brunette, Philip	Hurst, Bruce
Burnet, Meagan	Indewey, Daniel Scott
Campbell-Schumm, Rebecca	Indewey, Laura Lynn
Cattel, Graydon	INNIS, BERYL J.
Cattel, Wyonna	Johnson, Lee
CMHA-Waterloo Wellington Dufferin, Canadian	Jones, Maureen
Mental Health Associa	Joseph, Sheeba
Costello, Paul	Kenny, Susan
Creamer, Kimberley L.	Kewin, Shea
Dakak, Louai	Labrie, Sarah
Daley, Donald	Lindsay, Elizabeth
Davey, Richard	Lindsay, Robert
Davey-Jones, Shelley F.	Maltby, Darlene
David, Winston	Manasia, Aadil Nizar
Davies, Sean	Manasiya, Asim Pyarali
de Guerre, Alyson	Marediya, Sarjilbhai
Donnelly, Chris	Marrocco, Alexander
Duelund, Kevin S.	Marshall, Rebecca
Dufton, Janet	Martinez, Geovanni
Ellis, Paige	MCGARR, MICHAEL
Everson, Neil	Mclsaac, Donna
Fenton, Patrick	McKinlay, Jean
Finniss, Riley	Meehan, Bridgette
Francis, Michael	Munro, Scott
Gale, Katrina	Nyantakyi, Agyeman
GELLERT, RALF	OLDHAM*, JENNIFER

Osman, Ahmed
Passmore, Lynne Anne
PELOW, MICHAEL
Peters, Helen
Peters, Jaclyn
Petros, Kidsti
Piette, Allan
Rannachan, Lindsay
Rath, Jeff
Redae, Efrem
Renton, Amy
Robinson, Phillip
ROTH, DAVID
Sarraino, Salvatore
Schaefer, Kim
Schroeder, Thomas
Sepers, Mary
Sheba, Justin
Sheikh, Dekha
Speck, Deb
Stewart, Randall W.
Tack, Adam
Theriault, Rachel Karson

Thomas, Norma
Thompson, Alice
Townsend, Beth
Tripp, Juanda
Tyndale, Paul
Uvarov, Dmytro
Vichel, Linda
Vichel, Macario
Vitelli, Michael
Wadden, Mika
WILLIAMS, KAREN
Williams, Natalie
Williams, Tamara
Wilson, Larry C.
Wing, Aishah
Wing, Ryan
Worton, John
Worton, Lillian
Wright, Trevor
Yamazaki, Tsuneo
Yemane, Samuel
Zharkov, Pavel