



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

File Number: LTB-L-023446-25

In the matter of: 106 Parkway Forest Drive, Toronto, ON, M2J 0C3

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: Dmitry Papkovich – Unit 204, Byron Jose Flores Castillo – Unit 211, and Paola Norori Colindres – Unit 211.

It is determined that:

Municipal Taxes and Charges

1. 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).
2. The maximum rent increase above the guideline because of an extraordinary increase in the cost for municipal taxes and charges is 0.18%. This increase is to be taken in the first year.
3. The Certificate of Service filed by the Landlord on March 2, 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: 110,

203, 213, 314, 403, 407, 508, 512, 514, 603, 614, 702, 706, 707, 709, 711 and 714.

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

Evidence Required

5. The Tenants residing in Units 204 and 211 submit that the Landlord has not provided sufficient evidence that the increase in municipal costs is extraordinary.
6. When seeking an above guideline rent increase due to an extraordinary increase in municipal taxes and charges, the Landlord is required to submit evidence of their final tax costs for the Reference and Base Years and their proof of payment of those costs. I am satisfied that the Landlord has done so in this instance. 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 and s. 31 of O. Reg. 516/06.

Allocation of Costs

7. The Tenant residing in Unit 204 submits that it is unclear whether costs are fairly allocated across all units and seeks clarification on how costs are distributed.
8. For clarity, the rules calculate the increase based on the total rent revenue of all units in the residential complex and then each unit is allocated a portion of the increase. Only affected units will actually receive the notice of rent increase.

Maintenance

9. The Tenants residing in Unit 211 submit that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. These issues are as follows:
 - a. That the gym is in poor condition and not properly maintained.
 - b. Their apartment has not been updated for many years – cabinets and doors are in poor condition and “overall the unit continues to deteriorate instead of improving”.
 - c. Pest infestation – no effective action taken by management.
 - d. “Repeated repairs that are not properly completed”.
 - e. Exterior windows are dirty and not regularly cleaned.
 - f. Flooring repairs were not addressed until escalated to the city.
10. 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 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

11. The Tenants residing in Units 204 and 211, submit that the Board should consider financial hardship to Tenants caused as a result of any increase granted including that their income is not sufficient to support their financial responsibilities and that they cannot afford any increase in rent.
12. 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.
13. 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 residing in Units 204 and 211 pay any amounts owing to the date of the order in 6 monthly installments starting 30 days from the issuance date of this Order.
14. 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.

Out of Scope Submissions

15. The Tenants residing in Units 204 and 211 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. That the rent was already increased earlier in the year and it is unfair to impose another increase so soon.
 - b. That the current rental market does not justify any increase – rents have decreased and newer Tenants are paying less or similar prices than what the Tenant is currently paying.
 - c. The validity of Notice of Rent Increases received by affected Tenants.
16. 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. 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 0.18% 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 204 and 211, 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.

June 3, 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:

106 Parkway Forest Drive, Toronto, ON, M2J 0C3

0608	0708	0107	0208	0305	0402	0414	0511
0609	0710	0108	0209	0306	0404	0501	0513
0610	0712	0109	0210	0307	0405	0502	0601
0611	0713	0111	0211	0308	0406	0503	0602
0612	0101	0201	0212	0309	0408	0504	0604
0613	0102	0202	0214	0310	0409	0505	0605
0701	0103	0204	0301	0311	0410	0506	0606
0703	0104	0205	0302	0312	0411	0507	0607
0704	0105	0206	0303	0313	0412	0509	
0705	0106	0207	0304	0401	0413	0510	

Schedule 2 - Tenants who are Affected by this Order:

Simran	Karmegam, Manoj Kumar
Abdorbo, Huda	Khan, Irfan
Abdulah, Hanan	Khan, Rubina
Ahmadzadeh Banici, Behnam	Khan, Sheraz
Ahmed, Nihal	Koduru, Ajay Kumar Reddy
Akande, Quincy	Kumarasamy, Venkatachalam
Alagunambi, Sathish Kanna	Kumarr, Jitthen
Ali, Nargis	Lapido, Ligaya
Ali, Zeynab	Lapido Hilado, Liphayette
Almohdar, Cherry Lou	Madaswamy, Subbiah
Aly, Adam	Maggay, Esperanza Bouey
Amal Mahmoud Jamil, Alissis	Malik, Faisal
Antonio, Mimosa Teresa	Martins, Carolina Bruno
Asguq, Hassan	Mbabaali, Nazziwa Lilian
Aziz, Bashir Ahmad	Mendes Gaschteff, Ambar
Bandaru, Bharath	Mohamed, Zeinab
Barat Ali, Safdar Ali	Morton, Geoffrey
Barbhai, Varad	Moustafa, Moustafa
Basaleeb, Hasan Bin Saleh	Nair, Anilkumar
Basleeb, Mubarak	Nair, Sreekala
Bato, Purita	Najim, Shakira
Berhani, Brunilda	Naram, Akhileshwar Reddy
Bondoc, Marc Lester	Naser, Jilal
CHAKRABORTY, DHRITIMAN	Noorzai, Abdul Raziq
Chaman Ali, Hafiza	Norori Colindres, Skarleth Paula
Chandrasekaran, Viswanathan	Osijo, Adegbeminivi
Charles, Lynda	Pajtesa, Arbjam
Craib, Kingsley	Pajtesa, Enver
Dave, Vishesh	Panneerselvam, Senthilkumar
Elangovan, Selva Ganesh	Papkovich, Dzmitry
Espiritu, Edmund	Pattu Rasu, Rajasekaran
Flores Castillo, Byron Jose	Perdomo, Miguel
Foote, Delroy Anthony	Petras, Vladimir
Gadamelkhair, Lamyaa	Phillips, Jasmine
Gjoka, Saimir	Puruganan, Lord Joanthony
Hakimi, Abdul	Rai, Chandra Kumar
Jaffar, Mohamed	Rai, Shova
Jaffar-Rogers, Kerima	Saliko, Bledar
Jaramillo, Genis	Sandbhor, Reema
Jawaid, Syeda	Sandel, Kirby
Jilumudi, Harika	Sankhe, Priyanka
Kamalpour, Shahrzad	Sarkar, Sanjoy
Kamisha, Juliana	Sarwari, Ahmad
Kanagasabapathi, Bhuvaneswaran	Shaqiri, Onaldo

Sidhu, Avinash Singh
Stolz, Brigitte
Syed, Azhar
Tarwala, Ayesha
Tavares, Andre
Tavares, Marinela
Thalavadi Gunashekar, Arun Prasad
Turunem, Evan Kalevi
Uddadi, Sai Sathvik

Udhayakumar, Ranjithkumar
Vieira, Raquel
Vijayakumar, Ragavi
Webb, Ahkeil Ruddwyn
Xhindole, Marion
Xhindoli, Dritan
Xhindoli, Jonida
Zhao, Zixun
Zolghadr, Homa