



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-018230-24

In the matter of: 140 Franklin Street North, Kitchener, Ontario, N2A 1Y2

Between: Williams and McDaniel Property MGMT Landlord

And

Refer to attached Schedule 2 Tenants

Williams and McDaniel Property MGMT (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 14, 2026. The following parties attended the hearing: James Gordon (Tenant), Michelle Hasse (Tenant), Danilo P. Culala (Tenant), Deip Doa (Landlord Agent), Paul Cappa (Landlord Representative), and June Purres (Landlord Representative).

The Certificate of Service filed by the Landlord on March 10, 2026, indicates that some rental units and Tenants listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these rental units and 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 units and Tenants: The following parties attended the hearing: 104, 107, 109, 205, 301, 405, 408, and 409.

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

1. The agreed above guideline increase is for the following capital expenditures:
 - a. Commercial Boilers and Tanks Replacement
 - b. Portico Roof Replacement
 - c. Awning Replacement
2. Where the Landlord's application requests an increase of 1.72%, the maximum increase above the guideline for these units is 1.64%. This increase is to be taken in the first year.

3. Where the Landlord's application requests an increase of 0.12%, the maximum increase above the guideline for these units is 0.12%. This increase is to be taken in the first year.
4. The weighted useful life for the capital expenditures is as specified on Schedule 3.
5. The first effective date of the rent increase above the guideline is June 1, 2024.

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.

June 3, 2026
Date Issued

Isabelle Bouvier
Hearings 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:

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.
2. 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.

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 2023 is 2.50%, for 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

140 Franklin Street North, Kitchener, Ontario, N2A 1Y2

101
102
105
106
108
201
202
203
206
207
208
209
210
302
304
305
306
307
308
309
401
402
403
406
407
410
B2

Schedule 2 - Tenants who are Affected by this Order:

Avtusmenko, Iryna
Avtusmenko, Serhii
Bran, Luisa
Bratt, Jeffrey John
Burke, Kathleen
Campbell, Mary Bridget
Carnegie, Carl
Chudzik, Helen
Culala, Danilo P.
Garcia, Danilo
Gordon, James
Hasse, Michelle
Jacobi, Richard
Loewen, Elizabeth
Logan, Cynthia
Moore, Teresa
Payne, Wendy
Preston, Maureen
Preston, Terry
Ribey, David
Rioux, Dennis
Russell, Orvel
Russell Jr., Orvel
Scard, Philippa
Sheilh, Hamid Nasheh
Tenant
Topp, Genevieve
Valencia, Amaya Ana Ceceila
Varga, Milka
Viches, Andres Velazquez

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is June 1, 2024**

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.

Rental Unit Address Name	Period of June 1, 2024 to May 31, 2025			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
101, 140 Franklin Street North	1.64%	1.64%	18	1.64%
102, 140 Franklin Street North	1.64%	1.64%	18	1.64%
105, 140 Franklin Street North	1.64%	1.64%	18	1.64%
106, 140 Franklin Street North	1.64%	1.64%	18	1.64%
108, 140 Franklin Street North	1.64%	1.64%	18	1.64%
201, 140 Franklin Street North	1.64%	1.64%	18	1.64%
202, 140 Franklin Street North	1.64%	1.64%	18	1.64%
203, 140 Franklin Street North	1.64%	1.64%	18	1.64%
206, 140 Franklin Street North	0.12%	0.12%	15	0.12%
207, 140 Franklin Street North	1.64%	1.64%	18	1.64%
208, 140 Franklin Street North	1.64%	1.64%	18	1.64%
209, 140 Franklin Street North	1.64%	1.64%	18	1.64%
210, 140 Franklin Street North	1.64%	1.64%	18	1.64%
302, 140 Franklin Street North	1.64%	1.64%	18	1.64%
304, 140 Franklin Street North	1.64%	1.64%	18	1.64%
305, 140 Franklin Street North	1.64%	1.64%	18	1.64%
306, 140 Franklin Street North	1.64%	1.64%	18	1.64%
307, 140 Franklin Street North	1.64%	1.64%	18	1.64%
308, 140 Franklin Street North	1.64%	1.64%	18	1.64%
309, 140 Franklin Street North	1.64%	1.64%	18	1.64%
401, 140 Franklin Street North	1.64%	1.64%	18	1.64%
402, 140 Franklin Street North	1.64%	1.64%	18	1.64%
403, 140 Franklin Street North	1.64%	1.64%	18	1.64%
406, 140 Franklin Street North	1.64%	1.64%	18	1.64%
407, 140 Franklin Street North	1.64%	1.64%	18	1.64%
410, 140 Franklin Street North	1.64%	1.64%	18	1.64%
B2, 140 Franklin Street North	1.64%	1.64%	18	1.64%

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 the period 2024 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 the period 2024 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.