



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

File Number: LTB-L-101020-25

In the matter of: 55 William Street, Waterloo, Ontario, N2J 4Z1

Between: Capreit Limited Partnership Landlord

And

Refer to attached Schedule 2 Tenants

Capreit Limited Partnership (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: Henry Leopold – Unit 308 and Larissa Ulitsky – Unit 316.

It is determined that:

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 0.23%. 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: 307, 409, 416, 518, 604, 704, 712, 809 and 812.
4. The first effective date of the rent increase above the guideline is March 1, 2026.

Maintenance

5. The Tenant residing in Unit 308 submits that there are maintenance issues which they argue, support that the Landlord's application should be dismissed. However, no further details were submitted by the Tenant pertaining to the specifics of the maintenance issues raised. As such, I make no findings here.

Financial Hardship

6. The Tenant residing in Unit 316 submits that the Board should consider financial hardship to Tenants caused as a result of any increase granted.
7. 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 tenants of an above guideline increase when determining whether a landlord's above guideline increase application should be granted or denied.

Out of Scope Submissions

8. The Tenant residing in Unit 308 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 a remedy of their T6 application, LTB-T-0350997, "is that there are to be no rent increases until the issues are remedied". Whether the Landlord is able collect the above guideline increase is not pertinent to this application.
9. 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 0.23% 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 March 1, 2026, to February 28, 2027.
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.

June 11, 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 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

55 William Street, Waterloo, Ontario, N2J 4Z1

101	202	301	401	502	602	702	803
102	203	302	402	503	603	703	804
103	204	303	403	504	605	705	805
104	205	304	404	505	606	706	806
105	206	305	405	506	607	707	807
106	207	306	406	507	608	708	808
107	208	308	407	508	609	709	810
108	209	309	408	509	610	710	811
111	210	310	410	510	611	711	814
112	211	311	411	511	612	714	815
114	212	312	412	512	614	715	816
115	214	314	414	514	615	716	817
116	215	315	415	515	616	717	818
117	216	316	417	516	617	718	819
118	217	317	418	517	618	719	
119	218	318	419	519	619	801	
201	219	319	501	601	701	802	

Schedule 2 - Tenants who are Affected by this Order:

Amy, Marilyn Jean	Douglas, Shirley	Ingle, Elizabeth M.
Arajs, Rita	Duncan, Marisa	Jackson, Laura
Barlow-White, Margaret	Dykes, Maurice	Jayaram, Shesha
Baron, Alex	Eddy, Elizabeth	Kanai, Junji
Baron, Helen	Evans, Carmelle	Keller, Betty Anne
Bechard, Mary Jane	Farquhar, Grahame	Knechtel, Darryl
Behnk, Sabine	Farquhar, Marion	Knight, Brian
Behr, Klaus	Foltin, Edith	Knight, Judith
Bennett, Peter	Forwell, Elizabeth	Kumpula, Brenda
Bernhardt, Peggy	Friedmann, Joanne	Kusick, Nancy
Bernie, Destin	Fuller, Marcia	Kusick, Richard
Berthin, Judith	Fuller, W Brock	Lamb, Ruth
Bingham, Sara	Furino, Steven	Langford, Marie
Blyth, Virginia	Gerriets, Marilyn	Leask, Ellen
Bonnyman, James	Gillies, John	Leask, Margaret Anne
Botros, Jill	Gillies, Sandra	Leopold, Henry
Bowie, Donna	Grainger, Charmaine	Liu, Yuqing
Brockett, Andrew	Grainger, Peter	Lott, Ryan
Brockett, Margaret	Grainger, Wavy	Lucier, Dawn
Brown, Peter	Guillaume, Lucien	Lucier, Marvin
Carey, Matthew	Harper, Lynn	Mackey, Brenda
Carr, Frances	Harrison, Adele	Mackey, Robert
Carter, Frieda	Heffernan, Judith	Mactavish, Cathy
Carver, Claudia	Hember, James	Martin, Margaret
Carver, Neil	Hember, Janice	Mccuaig, Cameron
Clarke, Mary Jane	Henderson, Cicely	Mccuaig, Matthew
Costo, George	Henrich, David	Mcdonald, Rosanne
Costo, Laura	Henrich, Susan	Mcginnis, Trenny
Couch, Brenda Cameron	Henry, David	Mcgowan, Alan
Coulter, Heather	Henry, Marilyn	Mctavish, Dale
Coyne, Mary	Hiebert, Victor	Methot, Joanne
Cressman, Susan	Hill, Susan	Mills, Christina
D'aoust, Margaret	Hopkins, Agatha	Misener, Barbara
D'aoust, Robert	Hounsell, Gary	Misener, Larry
D'arcy, Ita	Hounsell, Mary	Monga, Simran
Da Costa, Lauris	Hrynyk, Thomas	Motz, Joyce Doreen
Danard, Margaret	Hull, Margaret	Murray, James
Danayka, Rosemary	Hunt, Kathy	Murray, Marjorie
Darosa, Allison	Hunt, Wanda	Neigh, Margaret
Darosa, Bette	Hustwitt, Eleonore	Nicholson, Linda
Davis, Sara	Hutton, Norma	Nylund, Gail
Donkers, Donna	Hyde, Rae Marie	O'halligan, Allan
Openshaw, Dan		
Orlando, Dean		

Orlando, Dolores
Ormrod, Nicholas
Orton, Mary
Paikin, Janet
Pappert-Shannon, Mary Frances
Pasricha, Dmitri
Pauls, Nancy
Peyton, Helen
Pinnington, John
Pinnington, Linda
Polevoy, Terry
Powers, Brittany
Preece, Cynthia
Preece, Richard
Pucci, Marissa
Rauter, Karla
Redekopp, Alex
Redekopp, Marlene
Renaud, Joanne
Richards, Gregor
Romo, Nick
Ross, Jordan
Ross, Stephen
Sammur, Debbie

Sanderson, Megan
Schaus, Erlma Y.
Schmidt, Christine
Schmidt, Gary
Smith, Frederick
Smith, Sharron
Song, Jung Mi
Street, Kimberley
Stubbs, Terry
Tackaberry, Jason
Taylor, Melody
Thorpe, Patricia
Toman, David
Treitz, Carol
Ulitsky, Larissa
Vexler, Rozalia Mayer
Voth, Jeffrey
Voth, Margaret
Weber, Evelyn
Weinstein, Gary
White, William
Whiteside, Heather
Williams, Sandra
Zimmerman, Joanne