



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

File Number: LTB-L-008438-26

In the matter of: 177 Nonquon, Oshawa, Ontario, L1G 3S2

Between: Valiant Rental Properties Limited Landlord

And

Refer to attached Schedule 2 Tenants

Valiant Rental Properties 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: Candace Costley – Unit 707, Mhd Ihab Allala – Unit 1214, Tahani Allala – Unit 1214, and Angela Young – Unit 1803.

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 0.76%. This increase is to be taken in the first year.
3. I have accepted the Landlord's amended application filed with the Board on February 26, 2026.
4. The Certificate of Service filed by the Landlord on March 13, 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: 102U, 303U, 510U, 914, 1210, 1411, 1507 and 1706.

5. The first effective date of the rent increase above the guideline is May 1, 2026.

Costs Relating to Non-Residential portions of the Complex

6. The Landlord identified in Schedule 1 Part C to their application that a portion of the costs claimed relate to non-residential portions of the complex, being offices located on the 20th floor of the building. Those costs are represented on the final municipal tax bills for the Reference (2024) and Base Year (2025) as "CT" (Commercial Tax) in the amounts of \$21,928.10 (2024) and \$23,006.49 (2025).
7. This results in a reduction of claimed costs as follows:
 - a. Reference Year Costs: \$741,283.25 (\$763,211.35 - \$21,928.10)
 - b. Base Year Costs: \$802,057.06 (\$825,063.55 - \$23,006.49)
8. The calculated increase, therefore, reflects the noted reduction in claimed costs.

Financial Hardship

8. The Tenants residing in Units 1214 and 1803 submit that the Board should consider financial hardship to Tenants caused as a result of any increase granted. They cite the current economic conditions including the rising cost of living including essential expenses.
9. In respect to the Tenants' 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.

The Landlord's Right to Apply and Out of Scope Submissions

10. The Tenants residing in Units 707 and 1214 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. The issues raised by the Tenants which are not relevant to my findings here are as follows:
 - a. That the Landlord has not provided evidence of the necessity of the increase for repairs or essential expenses.
 - b. The validity of Notice of Rent Increases received by affected Tenants.
 - c. Relative impact to of the increase in municipal taxes to monthly/annual rent.
 - d. That there is to be major repairs to the underground parking.
 - e. How the Landlord is being funded to undertake capital work and how that may be affecting this application.

11. The legality of the Tenants N1 forms is not properly an issue before the Board on an L5 application hearing. After an order is issued granting an L5 application, a landlord is entitled to demand that the tenant pay the approved above guideline rent increase, being 0.76% in this instance, only if the landlord has served the tenant with a valid N1 Form seeking the above guideline rent increase.
12. If a landlord has failed to serve N1s in the relevant time period then that becomes relevant to any dispute between the parties as to how much rent is outstanding. However, validity of the N1 Forms are not relevant to the L5 application itself. If the Tenants end up paying what they feel is illegal rent because they believe that the N1 form was invalid then they can file the appropriate application with the Board. If they refuse to pay an amount demanded by the Landlord as a result of the Board's order on the L5 application the Landlord may bring applications for arrears of rent at which point the Tenants have the opportunity to argue that the N1s are invalid and the lawful rent is different than the Landlord is demanding. But none of that is properly the subject of a hearing of an L5 application.
13. 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. 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 0.76% 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 May 1, 2026, to April 30, 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 19, 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:

177 Nonquon, Oshawa, Ontario, L1G 3S2

00101U	00312	00601	00803	01006U	01208U	01514U	01802
00103	00314R	00602	00804	01007	01209	01515	01803
00104R	00315	00603U	00805	01008	01211	01601R	01804R
00105	00401	00604	00806U	01009U	01212	01602	01805
00108	00402	00605	00807U	01010	01214	01603	01806
00110	00403	00606	00808	01011	01215	01604	01807
00201	00404	00607	00809	01012	01401	01605	01808
00202	00405	00608	00810	01014U	01402	01606	01809
00203U	00406	00609	00811	01015	01403	01607	01810R
00204	00407	00610	00812	01101U	01404	01608	01811
00205	00408	00611	00814	01102	01405	01609	01812
00206	00409	00612	00815	01103	01406	01610	01814R
00207	00410	00614U	00901	01104	01407	01611	01815
00208	00411U	00615	00902U	01105	01408	01612	01901
00209	00412	00701	00903	01106	01409	01614	01902
00210	00414	00702	00904	01107	01410	01615	01903R
00211	00415U	00703	00905	01108	01412	01701	01904U
00212	00501	00704	00906	01109	01414	01702	01905
00214	00502	00705	00907	01110	01415	01703	01906R
00215R	00503	00706	00908	01111	01501	01704	01907R
00301	00504U	00707	00909	01112	01502	01705	01908
00302U	00505	00708	00910	01114	01503	01707	01909R
00304	00506	00709	00911	01115	01504	01708	01910
00305	00507	00710	00912	01201	01505	01709	01911R
00306	00508	00711	00915	01202	01506	01710	01912R
00307	00509	00712	01001	01203	01508	01711	01914
00308	00511	00714	01002	01204	01509	01712R	01915
00309	00512	00715	01003	01205R	01510	01714U	
00310	00514	00801	01004	01206U	01511	01715R	
00311U	00515	00802	01005U	01207	01512	01801	

Schedule 2 - Tenants who are Affected by this Order:

Adey, Penny	Carter, Diane	Ferouzi, Khurshaid
Agathocli, Daniel	Carter, Harold	Fomenko, Boris
Akthar, Ali	Carter, Pierrette	Fomenko, Dianna
Ali, Carol	Casarin, Bruce	Formuly, Moqadisa
Allala, Mhd Ihab	Cave, Christeen	Fozing, Ariane
Allala, Tahani	Celestial, Mary Rosanne	French, Gary
Amiri, Fauzia	Cerovich, Joanne	Gabriel, Kevin
Amiri, Nasir	Chance, Stacey	Garcia, Marilou
Anness, Mary Ann	Christopher Babu Sheela, Aji	Geneva Taran, Margaret
Ariesen, Trienke	Chua Peck, Mary Bridget	Geneva Taran, Wayne
Aroni, Lamia	Chun, Hyuna Tea	Gheith, Mohamad
Aryania, Kelly Arezou	Chun, Mi Sook	Gilbert, Dianne
Aryania, Reza	Clark, James	Gilbert, Eric
Ayoubi, Mohammad Arif	Clarke, Jordan	Gillett, Sharon
Aziz, Mariam	Codner, Requane	Good, Laurie
Baggs, James	Collins, Stephen	Graham, Shawne
Baker, Darian	Connors, Jason	Gunter, Sondra
Balagot, Avegail	Connoy, Megan	Hadwani, Aminmohamed
Bancroft, Joyce	Cooper, Timothy	Hadwani, Zuneda
Barron, Cody	Corbet, Dale	Hakimi, Abdul
Bastien, Gilles	Costa, John	Hakimi, Sarougul
Beauchemin, Robert	Costley, Candace	Hanafi, Najyah
Bennett, Mark	Cowie, Ethan	Hanalla, Mona
Best, Susan	Cummings, Kaydea	Hashimy, Shoaib
Black, Patsy	Dabhi, Dharmendrasinh	Hembrey-Waunch, Michele
Blake, John	Day, Sarah	Henry, Marcia
Blodgett, Joel	DePass, Derrick	Hicks, Heather
Bradica, Lorraine	DePass, Linnette	Hicks, Sarah
Brant, Shirley	Dewhirst, Kristen	Hilkewich, Olga
Brewin, Malcolm	Donaldson, Martine	Hilts, Heather
Brewin, Mary Jane	Donison, Dennis	Holinaty, Danielle
Brillinger, Nancy	Donison, Doris	Hong, Tammy
Brillinger, Ronald	Dovell, Michelle	Horizons, Christian
Brintnell, Brian	Du Bray, Susan	Horizons, Christian
Brisebois, Karen	Edwards, Glen	Horrocks, Debbie
Brooks, Angela	Elliott, Monica	Houston, Joan
Brown, Okene Jermaine	Elliott, Sandra	Hugli, Samantha
Calford, Robert	Elonga, John	James, David
Calford, Wendy	Fast, Brian	Jasmer, Andree
Calma Garcia, Boshland	Feith, Antal	Jaworski, Linda
Campbell, ANDREA	Feith, Marta	Jenkins, Tracy
Caraman, Andrei	Ferouzi, Abdul Hadi	Jennings, Jane
Jetani, Gagjibhai, Dhaval		
Jetani, Suranhi, Dhavel		

Johnson, Stephen
Johnston, Bryan
Johnston, James
Johnston, Mary
Jones, June Marie
Jones, Terri
Jovanovic, Zoran
Jukes, Alfred
Jukes, Barbara
Kaiser, Jacob
Karas, Janice
Karas, Walter
Kausar, Qurra-Tul-Ann (annie)
Kennedy, Trecia
Knarr, Shane
Knight, Kathy
Knowlton, Franklin
Konde, Jeremie Christian
Krusky, Daniel
Lacroix, Jocelyne
Lampron, Matthew
Langlois, Randall
Langs, Jessica
Lashley, Candace
Lashley, Samantha
LeBlanc, Daniel
Lewis, Matthew
Lidstone, Sara
Lockhart, Lori
Lyons, Doris
Lyons, Percy
MacLeod, Gertrude
MacNeall, John
Madeira, Daniel
Mallon, Darina
Mangat, Jasneet
Mann, Ricky
Maraj, David
Marmara, George
Marmara, Jennifer
Marquez, Edydh
Martin, Adriana
Martinez, Tristan
McCann, Peter
McKeown, Dave
McMinn, Ashton
Mendicino, Elaine
Mendicino, Fiore
Mitongo, Emilie
Mohamed, Farhin

Molina Segovia, Selena
Monaghan, Valerie
Moore, Hunter
Moukodi Ondoia Efala, Marthe Gerardine Grace
Moulton, Alvin
Mullen, Jason
Nasim, Waseem
Neville, Anthony
Neville, Lillian
Newhook, Angela
Nickerson, Evelyn
Ondoia Efala, Pierre Christian Ondoia Efala
Pablo, Reibon
Pardees, Hafeezullah
Park, Ye Yoo
Parkes, Laura
Parkin-Tilley, Janis
Parks, Gary
Patel, Karm, Kalpeshkumar
Patte, Jason
Patterson, Mary
Penhale, Jeffrey
Peralta, John
Pickford, Samantha
Pitre, Kenneth
Pittens, Christopher
Pittens, Jo
Playfoot, Jason
Prajapati, Mihir
Prakken, Wendy
Primosig, Meghan Maria
Purchase, Jason
Purchase, Lisa
Rachoff, Thomas
Rahimi, Naeda
Reid, Maxine
Ridout, Todd
Rightmyer, Cassandra
Robert, Daniel
Roberts, Andrew
Roberts (Hallard), Sarah
Robertson, A E Kyung
Robinson, Roberta
Roschok, Christine
Rose, Annie Evylen
Rudyk, Sharon
Sabyan, James
Sabyan, Olivia
Sadat, Sayed
Saliba, Beate

Scott, Jenneveve J
Scott, John
Selleck, Kourtney
Senechal, Kimberley
Severino, Milica
Severino, Wagner
Shaath, Ramy
Sheridan, Amanda
Sherzai, Muzhda
Short, Beverley Dianne
Singh, Tiffany
Skelcher, Ken
Skye, Isla
Smithson, James
Snider, Christina
Speck, Terry
Spreen, Kelsey
St. Germain, Chantel
Stanley Soundara Dhas, Priya Joy
Stewart, Jenifer
Stewart, Joanna
Stewart, Ramone
Stone, Gayla
Stuart, Douglas
Switzer, Gary
Switzer, Joan
Synyard, Sandra
Tass, Cheryl
Teal, Arlis
Tilley, Jessie
Tittle, Tkeah
Todd, Lynda

Tonna, Marlene
Turner, Ian
Usher, Carolyn
Van Der Marel, Daniel
Vango, Jane
Van Kuik, Casey
Vanstone, Lorraine
Vaughan, William
Veber, Avery
Veci, Daniel
Verdonk, Dallin
Villemaire, Donna
Villemaire, Edward
Villeneuve, Beatrice
Villeneuve, Jessica
Warren, Donna
Warren, Fred
Watan, Gerry
Waul, Keon
Waul, Linda
Waunch, Paul
Waziri, Marjan
Weirmier, Bryan
Wells, Darren
Whelpdale, Cheryl
Williams, Pamela
Wilson, Caroline
Wilson, Craig
Wright, Tessa
Young, Angela
Ziuraitis, John