



## **Order under Section 135 Residential Tenancies Act, 2006**

**File Number:** LTB-T-041183-25

**In the matter of:** 620 NORTHCLIFFE BLVD UNIT 705  
YORK ON M6E3M1

**Between:** Yuri Fleming Tenant

**And**

Hazelview Properties Landlord

Yuri Fleming (the 'Tenant') applied for an order determining that Hazelview Properties (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on November 27, 2025.

The Landlord's Legal Representative Peter Lopez Paralegal and the Tenant and the Tenant's Agent Debra Fleming-jerome attended the hearing.

### **Determinations:**

1. Sontirios Pitsinis is removed from this Application as they are an Agent for the Landlord rather than the Landlord. The Application is also amended to indicate that it is with respect to Unit 705 620 NORTHCLIFFE BLVD YORK ON M6E3M1.
2. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
3. The T1 itself indicates that the Tenant has been charged an illegal rent. However, it indicates that they have been overcharged \$0.00 over the past 12 months. In the reasons section the T1 simply states that the Tenant has tried to resolve it with the building manager and there is no resolution from the management company.
4. The Tenant testified that they were seeking a total of \$349.15 from December 2024. The Tenant testified that they were seeking an illegal rent totaling \$349.15 from December 2024.
5. The Landlord's Legal Representative requested that the Tenant's Application be dismissed on the basis that the Application is defective as it does not indicate the amount the Tenant has been overcharged within the last 12 months, and on the basis that the Tenant had paid the increase for 12 months, and it is therefore deemed to be the legal rent.

6. The Landlord's Legal Representative directed me to consider the ledger provided by the Tenants which indicates that the lawful monthly increased to \$1380.54 May 1, 2024, and did not increase again in December 2024. Therefore, the Tenant has paid the increased rent from May 1 2024 to May 1 2025 before filing the May 21, 2025. The Tenant did not appear to dispute that a Notice of Rent increased had been properly served for 2024, but rather that it was for an impermissible amount.
7. The Tenant testified that they did not receive an N4 until May 23, 2025, which is when they became aware of the discrepancy.
8. The Ledger provided by the Tenant's clearly indicates that the rent increased to \$1380.54 on May 1, 2024, which appears to be the increase disputed by the Tenant. However, it was not disputed that this increase has been paid by the Tenant from May 1, 2024, to May 1, 2025 and the T1 was not filed until May 21, 2025.
9. Section 135.1(1) of the *Residential Tenancies Act*, 2006 states:

135.1 (1) An increase in rent that would otherwise be void under subsection 116 (4) is deemed not to be void if the tenant has paid the increased rent in respect of each rental period for at least 12 consecutive months
10. In this case I am satisfied that the Tenant did not file an application within one year of the date that the new rent was charged.
11. Therefore, I am not satisfied that the Tenant's have demonstrated that they were charged an illegal rent as the rent of \$1380.54 is deemed lawful under Section 135.1(1) of the Act.
12. Therefore, the Tenant's Application shall be dismissed.

**It is ordered that:**

1. The Tenant's Application is dismissed.

**January 6, 2026**  
**Date Issued**

---

Reid Jackson  
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.