



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Markou v Gaur, 2026 ONLTB 9300

Date: 2026-01-27

File Number: LTB-L-072323-25-RV

In the matter of: 323, 216 OAK PARK BLVD
OAKVILLE ON L6H0K3

Between: Peter Markou Landlord

And

Aditya Gaur Tenant

Review Order

Peter Markou (the 'Landlord') applied for an order to terminate the tenancy and evict Aditya Gaur (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-072323-25 issued on January 13, 2026.

On January 23, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. The Landlord submits that it was a serious error for the Board to determine that the Landlord is still holding the last month's rent deposit and to subtract the deposit from the daily compensation owing to the Landlord. The Landlord submits that evidence was led at the hearing that the Tenant applied the last month's rent deposit to October 2025.
2. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
3. Section 105(10) of the *Residential Tenancies Act, 2006* ('the Act') states that a landlord shall apply a rent deposit that a tenant has paid to the landlord or to a former landlord in payment of the rent for the last rent period before the tenancy terminates. As such a last month's rent deposit can only be applied to the last month of a tenancy. It cannot be applied to any other months in the tenancy. As the Tenant paid a last month's rent

deposit and the tenancy had not yet terminated, it was reasonable for the Board to conclude that the deposit was still being held by the Landlord. No serious errors were made in that regard.

It is ordered that:

1. The request to review order LTB-L-072323-25 issued on January 13, 2026 is denied. The order is confirmed and remains unchanged.

January 27, 2026

Date Issued

Amanda Kovats

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.