



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

File Number: LTB-T-065178-25

In the matter of: 102 PARK ST
BROCKVILLE ON K6V2G7

Between: Debbie Holden Tenant

And

Ruth McEwan Landlord

Debbie Holden (the 'Tenant') applied for an order determining that Ruth McEwan (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on January 22, 2026.

Only the Tenant and the Tenant's Support, Cara Holden attended the hearing.

As of 11:00 a.m., the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. As explained below, the Tenant proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord must pay to the Tenant \$817.50.
2. The Landlord increased the monthly rent to \$850.00 on August 1, 2024 from \$768.25. In LTB-L-088065-25, issued on January 19, 2026, I found that this was an above the guideline increase, that the Landlord did not serve a notice of rent increase on the Tenant, and that the lawful monthly rent was \$768.25.
3. The Tenant paid the rent increase for 10 months from August 1, 2024 until May 1, 2025, and then she stopped. I did not order the Landlord to pay rent that they unlawfully collected in LTB-L-088065-25 because that was an L2 application based on an N13 notice of termination.
4. The difference between the unlawful rent increase and the lawful monthly rent was \$81.75 for 10 months. The total amount that the Landlord unlawfully collected and retained is \$817.50.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$817.50. This amount represents excess rent collected.
2. The Landlord shall pay the Tenant the full amount owing by February 23, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by February 23, 2026, the Landlord will owe interest. This will be simple interest calculated from February 24, 2026 at 4.00% annually on the balance outstanding.
4. If the Landlord does not pay the Tenant the full amount owing by February 24, 2026, the Tenant may recover this amount by deducting \$136.25 from the rent each month from March 1, 2026 to August 1, 2026.
5. The Tenant has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

February 12, 2026

Date Issued

Allana McComb

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.