



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

File Number: LTB-T-058505-25

In the matter of: 1, 153 Brock Street
Kingston ON K7L1S2

Between: Calvin Wong Tenant

And

Serge Sourou Landlords
5032870 Ontario Corp

Calvin Wong (the 'Tenant') applied for an order determining that Serge Sourou and 5032870 Ontario Corp (the 'Landlords') collected or retained money illegally.

This application was heard by videoconference on February 23, 2026.

Only the Tenant's Agent, Chung Chuen Wong, attended the hearing.

As of 9:40 a.m., the Landlords were 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 Landlords must pay the Tenant \$1,103.00.

Rent deposit not applied to last month of tenancy

2. The Landlords did not use the Tenant's rent deposit to pay for the last rental period of the tenancy and did not return the deposit to the Tenant. This is prohibited by the *Residential Tenancies Act, 2006* (the 'Act').
3. The Tenant's Agent submitted that:
 - a) The Tenant paid first and last month's rent (LMR) prior to moving into the rental unit on May 1, 2024;

- b) The Landlords withdrew rent for the month of April 2025 on April 1, 2025 in the amount of \$1,050.00. The Tenant provided bank statements into evidence proving this withdrawal;
 - c) The Tenant also provided into evidence an email, dated April 3, 2025, wherein the Landlords agreed to end the tenancy with a termination date of April 30, 2025 (with an N11) and to reimburse the Tenant for the rent paid for April 2025, as the LMR would be used to cover April 2025's rent; and
 - d) The Landlords have not reimbursed the Tenant as of the date of the hearing.
- 4. I find, based on the evidence before me and on a balance of probabilities, that the Landlords did not apply the LMR they were holding from the Tenant to the last rental period of the tenancy. The Landlords have effectively "double-collected" rent for the month of April 2025.
 - 5. The Landlords will be ordered to reimburse the Tenant \$1,050.00 for his LMR.
 - 6. The Tenant incurred costs of \$53.00 for the filing of the application and is entitled to reimbursement of those costs.

It is ordered that:

- 1. The total amount the Landlords shall pay the Tenant is \$1,103.00. This amount represents:
 - \$1,050.00 for the last month's rent deposit.
 - \$53.00 for the cost of filing the application.
- 2. The Landlords shall pay the Tenant the full amount owing by March 15, 2026.
- 3. If the Landlords do not pay the Tenant the full amount owing by March 15, 2026, the Landlords will owe interest. This will be simple interest calculated from March 16, 2026 at 4.00% annually on the balance outstanding.
- 4. The Tenant has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

March 4, 2026
Date Issued

Curtis Smith
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.