



Order under Section 135 Residential Tenancies Act, 2006

Citation: Smalley v 1655 Carling Development Inc., 2026 ONLTB 13477

Date: 2026-02-25

File Number: LTB-T-068886-25

In the matter of: 1655 Carling Ave
Ottawa ON K2A0Y2

Between: Joshua Smalley Tenant

And

1655 Carling Development Inc. Landlord

Joshua Smalley (the 'Tenant') applied for an order determining that 1655 Carling Development Inc. (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on February 2, 2026.

The Tenant, the Tenant's representative Joel Thompson, and the Landlord, represented by their representatives Natacha Kennington and Grace George, paralegal, attended the hearing. The Tenant initially attended but was required to leave due to their employment. The proceeding continued with the Tenant's representative.

The matter was resolved by consent. The parties agreed that the total deposit (\$3,875.00), representing first month rent and a last month rent deposit both in the amount of \$1,925.00 and a key deposit (\$25.00), was paid to the Tenant on October 9, 2025. The parties agreed that the application fee of \$53.00 was to be paid within 30 days of the hearing held on February 2, 2026.

On consent it is ordered that:

1. The Landlord shall pay to the Tenant the application fee of \$53.00.
2. The Landlord shall pay the Tenant the full amount owing by April 10, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by April 10, 2026, the Landlord will owe interest. This will be simple interest calculated from April 11, 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.

April 1, 2026

Date Issued

Jeanie Theoharis

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.