



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-083560-25

In the matter of: 217, 10 MACEY AVE
SCARBOROUGH ON M1L4R4

Between: Angelina Watwat Tenant

And

Metcap living management inc Landlord

Angelina Watwat (the 'Tenant') applied for an order determining that Metcap living management inc (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 7, 2026.

Only the Tenant attended the hearing. The Tenant declined to speak to Tenant Duty Counsel.

As of 9:43 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. The Tenant's T1 Application was executed and filed with the Board on October 4, 2025.
2. This application was brought pursuant to Section 135(1) of the *Residential Tenancies Act, 2006* (the "Act") which provides a tenant may apply to the Board for an order that the landlord pay to the tenant any money collected or retained in contravention of this Act. In this Application, the Tenant sought the return of the last month's rent deposit in the amount of \$1,463.00.
3. The Tenant's Application must fail, as the Application was not filed within one year that the last month's rent deposit was collected/retained in contravention of the Act.
4. The Tenant testified upon Board questioning that she moved into the unit on June 4, 2020, and that the tenancy terminated on June 1, 2024, when the Tenant vacated the rental unit.

5. Section 135(4) of the Act is the applicable section and states:

No order shall be made under this section with respect to **an application filed more than one year** after the person **collected or retained** money in contravention of this Act

[emphasis added]

6. While the Tenant alleges that the Landlord did not use the last month's rent deposit for the last month of the tenancy and the same was not returned to the Tenant, section 135(4) of the Act provides that the Application must be filed within 1 year of the money being collected **or** retained. The Tenant vacated the rental unit on June 1, 2024, and brought this herein application on October 4, 2025. The Tenant was required to bring her application within a year from the date the Landlord collected or retained monies in contravention of this Act. This was not done and thus, the Tenant's application is statute-barred.

April 10, 2026
Date Issued

Panagiotis P. Roupas
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.