



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-072050-25

In the matter of: 125 Silurian Drive
Guelph ON N1E7G2

Between: Sam Jewel Avery Tenant

And

Jerry Fritzley Landlord

Sam Jewel Avery (the 'Tenant') applied for an order determining that Jerry Fritzley (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on March 18, 2026.

Only the Tenant attended the hearing.

As of 9:30 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 the Tenant \$200.00.

Illegal Charge Collected:

2. The Tenant testified when he moved into the rental unit, the Landlord told him that he needed to pay a security deposit. The Tenant further testified that on September 1, 2024 the Landlord collected a security deposit in the amount of \$200.00. The Tenant uploaded documentary evidence of a copy of the cheque he gave to the Landlord in the amount of \$200.00 and the details indicated it was for a security deposit.
3. The Tenant testified he vacated the rental unit on April 30, 2025 and he has sent several emails to the Landlord requesting the return of the security deposit, however the Landlord has not responded to the emails or returned the deposit.

4. I am satisfied on a balance of probabilities that the Tenant has established that the Landlord collected a charge which is not allowed by the *Residential Tenancies Act, 2006* (the 'Act').

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$200.00. This amount represents:
 - \$200.00 for the illegal charge collected.
2. The Landlord shall pay the Tenant the full amount owing by April 21, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by April 21, 2026, the Landlord will owe interest. This will be simple interest calculated from April 22, 2026 at 4.00% annually on the balance outstanding.

April 10, 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.